1946 29

Charges Dropped Against Victim Of Bus Incident

5-25-46

New Orleans La.

Louisiana Weekly

Two months ago Mr. and Mrs Samuel Spears were arrested after an altercation with a bus driver They contacted Attorney A. P. Tureaud who succeeded in getting them released on bond. This week Attorney Tureaud announced that a charge of disturbing the peace against Spears had been dropped, but that the case of Mrs. Spears, accused of interfering with the police, is still pending. Sat.

The original trouble started when Mrs. Spears and her daughter got on a St. Bernard bus at N. Claiborne Street ahead of Mr. Spears who was holding all three transfers. The driver accused them of getting on without paying When Spears came up with th transfers the driver dropped then on the floor. He shouted at Spears and demanded that he pick up the transfers. Spears refused since he had not dropped them.

The driver left the bus and came back with two policemen. One wanted to let the whole thing drop but the other insisted that the couple be taken to the station. The police were extremely rude to the couple. 5-25-46

The charge against Mrs. Spears originated when she asked the policemen where they were going to take her husband so she could phone for help. The charge against Spears was dismissed by Judge Harold Moore of the First Recorders Court. 5-25-46

Ordered Off Bus For Asking That Screen Be Moved

The Weekly
New Orleans, La
Sat. 8-24-46

Southern buses and trains are the sorest spots in a sore and rotten society. Even the dignity of a Supreme Court decision could not wipe out the bigotry that all too frequently boils over in southern transportation units. For the third time in as many weeks, a Negro has been thrown off a bus when the segregation question came up.

On the evening of Aug. 6, Miss Virginia Traves was on her way back to Washington, D. C., where she works. She boarded a Greyhound bus at Donaldsonville, La. The screen was so situated that there were several empty seats in the white section while the colored section was filled. She asked the driver to move the screen. He refused, telling her to stand up. Words were exchanged. When the bus reached St. Charles Parish the driver stopped, went outside and returned with four men. One of them entered the bus and told Miss Traves to get off the bus. She did, accompanied by her companion, Miss Josephine Thompson of Sacramento, Calif. The girls were threatened with being thrown in jail but the men left when the bus pulled out.

They got a ride to New Orleans where they contacted the NAACP which is investigating the case.

Jim Crow Bus Defender Victims Sue For $6,000

By JOHN ROUSSEAU JR.

BATON ROUGE, La.—The widespread practice of forcing Negro passengers to surrender their seats to whites or face arrest, even when no other seats are available, was the basis of a $6,000 civil damages suit filed here last week in the 19th Judicial District Court.

The plaintiffs, Miss Marie Davis Cochrane and Montgomery W. King, Southern University instructors, asked damages from the Baton Rouge Bus Co. for false arrests, mental anguish, malicious prosecution, restraint of freedom and embarrassment and humiliation.

Chicago, Ill

Represented in a joint petition by Attys. Louis Berry of this city and A. F. Tureaud of New Orleans, the plaintiffs stated that on Oct. 20, 1946, King and Miss Cochrane boarded a bus at the intersection of 3rd st. and North blvd. and were seated with other Negro passengers after paying their fares. The vehicle had been loaded with Negroes from the rear to the front as required by regulations posted in the bus and all available space or seats behind those taken by the plaintiffs were occupied by colored passengers.

J. P. Watson, the white driver of the bus, according to the petition, demanded that Mr. King and Miss Cochrane stand and surrender their seats to white passengers who boarded the vehicle after them and on their refusal, left and returned with three police officers named Britton, Watson, and Gooch.

Sat, 12-14-46

On Bus Driver Watson's complaint they were arrested, taken to the police station and held for more than an hour until bonds were posted, the plaintiffs alleged, and on being tried in City Court by Judge J. St. Clair Favrot for disorderly conduct, were acquitted

GREYHOUND LINES JC'S TWO RECRUITS

Two teen-agers, products of the local public schools and on the verge of voluntarily enlisting in the armed forces of this, "the greatest democracy in the world", were rudely ordered to rear seats by the driver of a greyhound bus while enroute here from Baltimore, despite the recent Supreme Court Ruling regarding interstate travel.

Sun 7-16-46

The two humilated youths, who joined the Army the next day, Tuesday, are Donald Jackson, 415 U Street N. W., and William May of 530 U Street, N. W. The former is the Son of Mrs. Inez Jackson, teacher of the Briggs-Montgomery School.

The youths had been visiting in Baltimore prior to enlisting when they boarded the bus in Baltimore. A short distance out of the city the driver noticed that they were seated near the front of the vehicle.

Refuses to Give Name

Sun 7-16-46

"This is an express bus only for the white people," he reportedly told them. "I wish I had seen you when you first got On." The boys asked the driver for his name, but got the answer, "I don't give anybody my name."

To avoid further trouble Jackson and May moved to the rear of the bus on which there were two other colored persons. After arriving in Washington at ten minutes before midnight, the youths were still unable to obtain the offending driver's name.

29 1946

Mississippi

Bill Asks Legislature For Separate City Buses For Negroes, Whites

Atlanta Daily World
Atlanta, Ga.

JACKSON, Miss. — Among the many bills already put into the Legislative Hopper of the 1946 Session of the Mississippi State Legislative now in session here is a bill to require bus companies to have separate busses on inter-city lines for Negro and white passengers.

29
1-19-46
Miss

With a group of prominent senators led by Senator J. W. Hudspeth signing a "Round Robin" agreement to consider only legislation concerning improved rural roads, veterans legislation, educational legislation, farm produce and marketing, forestry and old age assistance, before giving consideration to other controversial matters it appears somewhat doubtful that the present session will get around to the consideration of the separate bus bill. 1-19-46

SOLDIER BEATEN FOR RAPPING JIM CROW BUS

1-18-46 Plain dealer

Jackson, Miss. (ANP)—Maxie Evans, an honorably discharged soldier still in uniform, stopping here to see his father, sister and other relatives while enroute to his home from camp, was badly beaten, arrested and fined $25 last week for criticizing a local jim crow bus.
Kansas City, Ka.

According to reports, Evans was seated in the jim crow section of the bus when several other colored passengers were ordered to get up and get back further, though already occupying seats in the jim crow section. Evans was overheard comparing local bus service with bus service in Chicago by a white passenger who told the driver about the alleged statement.

The bus driver stopped the vehicle and called police, who, when they arrived, ordered Evans out of the bus and began beating him. As a result of the beating, Evans sustained the loss of several teeth and one of his eyes may be permanently affected. Kansas

The victim was born and reared here in Jackson. His father expressed surprise that his son was involved in the affair, terming him the quietest of his children. Maxie had gifts for his relatives and left the city soon after his release from jail and his visit with kin. Friday 3-15-46

High School Pupils in Miss. Boycott Bus Lines Over J.C.

29 dont do The Afro-American Baltimore, Md.

JACKSON, Miss.—Pupils at the Lanier High School instituted a boycott Friday against the city's bus lines, after police arrested one of their classmates for allegedly violating a city ordinance requiring segregation on interurban busses. Sat.

R. J. Courtwright, manager of the bus lines, said police arrested the unnamed pupil when he refused to move to the rear of the bus. He subsequently forfeited his $25 bond. 11-30-46

A member of the high school faculty said the pupils deny that their classmate had been asked to move to the rear of the bus, and that some pupils are walking from three to four miles daily as a result of the boycott. 11-30-46

Judge Fines White Man Who Hit Negro For Sitting Beside Woman

The Call Kansas City, Mo.
Fri 3-1-46

In one of the most disgraceful cases to occur here in many years, Howard Robeen, white, 46, 3600 Park, was fined $50 by Judge Earle W. Frost of the Municipal Court yesterday for striking William Howell, 21, 1015 Park, Wednesday night merely because he was sitting beside a white woman on a street car.

Howell, discharged by Judge Frost on a charge of disturbing the peace, stated that he boarded a Troost car at 12th and Troost Wednesday night on his way to work at the Schulze Baking company and that he moved back in the car and occupied a seat next to a white woman. Robeen, who had also boarded the car at 12th and Troost, approached Howell and demanded that he move to the rear of the car. According to Howell, Robeen said to a companion, "Look at this n---- sitting beside this white woman." Another white man intervened and requested that Howell move to avoid any trouble and as Howell arose from his seat Robeen hit him in the right eye, breaking Howell's eyeglasses against his face and causing severe lacerations around the youth's eye.

Howell, who appeared in court with a large bandage over his right eye, presented his glasses as evidence. The right lens had been knocked out and the left one was blood-stained. Following the unprovoked attack Howell was treated at General hospital No. 2.

Robeen told the court that he demanded that Howell move from beside the white woman because he was molesting her. He admitted that the white woman in question did not say the Negro youth was bothering her, but Robeen insisted that he could tell from the woman's facial expressions that she did not like the idea of Howell's sitting next to her. Robeen further stated that he struck Howell after Howell had made a pass at him and that he did not know whether or not he was wearing glasses when he struck him.

Fri 3-1-46

Mrs. Louise Stewart, 3545 Forest, an eye-witness to the incident, told The Call that Robeen's attack on Howell was entirely unwarranted and unprovoked. She said that Howell did not strike at nor say anything to Robeen and that the youth was not molesting anyone on the car.

Judge Frost, in imposing the fine on Robeen, stated that his attack on Howell was "entirely unjustified." He admonished him that any complaint he had against him should have been taken to the street car operator.

Files Second Suit Against Railroad

The Call
Kansas City, Mo.

Rev. C. C. Royal Fights Jim Crow

The N.A.A.C.P. filed a second suit this week for the Rev. Charles C. Royal against the Missouri Pacific railroad. The suit grows out of jim-crow practices by the railroad in forcing its Negro coach passengers to move into separate coaches when its trains cross southern state lines.

The petition alledges that the Rev. Mr. Royal bought a round-trip ticket, Jan. 8 of this year, from Kansas City to McGhee, Ark., where he was going because of death in his family.

When the train reached Fort Smith, Ark., he was ordered by the conductor to move to the jim-crow car. He refused, and on arrival at Van Buren, he was arrested and placed in jail until he could make bond. On trial he was fined $25 and cost. His fine is being appealed to the Arkansas Supreme court by the local N.A.A.C.P. branch.

The present suit asks damages against the Missouri Pacific for $10,000 for false arrest and imprisonment, and is filed in the circuit court of Jackson county.

Carl R. Johnson, local branch president, states that every legal effort will be made to stamp out this type of race discrimination on southbound trains, out of Kansas City. He says the U. S. Supreme court has held such discrimination illegal, but the railroads will persist in the policy unless fought at every turn.

The Rev. Mr. Royal resides at 2223 Tracy Ave.

29 1946

REFUSE TO TAKE JIM CROW SEATS

The Plaindealer
Kansas City, Kansas
Fri. 8-23-46

St. Louis.—Two Evangelist Missionaries of the Church of God In Christ, were ejected from a bus early Monday morning in Southeast Missouri because they refused to take a back seat. The two were in St. Louis this week suffering from the ill effects of their experiences. One of them was confined in bed, requiring the attention of a physician.

The victims of the Missouri discrimination are Mrs. Elvonia Hendricks, 2116 Carr street, and Mrs. Ruth Wright, 3856 Aldine avenue.

Mrs. Elvonia Hendricks talked to newspapermen from her bed. She complained of severe spinal and abdominal pains. She pointed to a large trunk suitcase and bag which she had to lug a long way after being put off the bus and attributed her illness to the weight of carrying the luggage. Both women stated they intended to seek legal action against the bus company.

Ordered to Back

The story of the harsh experience of the women in Southeast Missouri was as follows:

"We had concluded a week's meeting at Kenneth, Mo., a town near the Arkansas line, and purchased our tickets to return home on the Great Southern bus line running between Cape Girardeau and Kenneth. We boarded the bus about 6:30 a.m. and sat about midway. Everything was alright until we reached Clarkston, Mo. Here the bus driver woke up a white boy who was asleep on the back seat and said, "You two colored people take the back seat." When we declined he returned the tickets and ordered us off." We struggled through the small town, where only four colored families live, with curious whites staring at us until we finally located the railroad station where we bought tickets and came on to St. Louis." The railroad tickets added $10.60 to their already paid $4.86 bus fare, they said.

It was reported that the bus jim crow situation in Southern Missouri is severe. A line running from Kenneth to Hayti, where many prosperous Negro farmers live, is reported to require Negro passengers to wait until all white passengers have boarded the bus. If there is any room left the Negroes must all find room on the back seat, no matter how many.

Hackensack Fights Whitewash Of Slappers of 2 Negro Girls

Daily Worker New York, N.Y.

Sat 4-13-46 C

HACKENSACK, N. J., April 12.—Dismissal of the case against a bus driver who struck a Negro girl passenger here has aroused the Negro community. The Reverend Leonard E. Terrell of the New Hope Baptist Church, president of the local National Ass'n for the Advancement of Colored People, intends to press further action on behalf of Alma Mooring and Gladys Christmas, both 18, of Hackensack.

The girls, enroute home on April 28, boarded a No. 34 bus. The bus driver, William Stulce, told them to stop talking so loud. The girls admit to the fact that they were conversing and not whispering. Miss Mooring told the driver, "I see a sign that says No Smoking, but none that says No Talking."

Stulce stopped the bus across Route 4, opened the door, and told them to get out, offering to refund of the fare. The two girls started to get off. According to their testimony, Stulce grabbed Miss Mooring to hurry her exit violently.

Seeing this, Miss Christmas returned to the bus to help her friend, whereupon, she says, Stulce struck her in the month, knocking her down in the doorway. At this point, a passenger named James L. Juett came up from the rear of the bus and struck Miss Christmas when she arose.

Sat 4-13-46

When she kicked him in retaliation, he threw her from the bus Both girls left and reported the attack to the police. Miss Christmas suffered minor bruises of the face.

At the trial, the passenger, Juett testified as a witness for Stulce, the defendant, while the two girls were unable to obtain witnesses. Stulce denied striking Miss Christmas and was backed up by Jewett. The 6-foot-plus Juett claimed that he had only struck Miss Christmas in "self defense" after the slight 5-foot-2 girl had "attacked" him. The case against Stulce was dismissed for lack of evidence. Juett was not on trial.

Misses Mooring and Christmas, aided by Rev. Terrell and several local organizations, plan further action undetermined as yet and will also try to familiarize the community with the facts.

"This sort of thing must be stopped before it spreads and causes a great deal of trouble," Rev. Terrell told the Daily Worker. "We know what would happen if the color of the person involved were reversed. We seek only justice and equality of opportunity. Negro girls must have the same protection as all other girls, whatever their color and creed."

29 1946

New York

Mother, Son Jailed In Mid-City Bus Row

The Peoples Voice
New York N. Y.

A young Negro mother and her 10-year-old son were arrested Thursday because the matron tried to defend her boy from brutality at the hands of an irate woman bus passenger. The magistrate set bail at $1,000 and charged the mother with felonious assault.

The incident occurred on a northbound bus at 53 and Madison av. Boarding the crowded bus at this stop, Mrs. Esther Bryant and her son, Cornelius, were attempting to move to the rear of the vehicle. The boy was pushed against a white woman by another passenger. The woman grabbed his neck and started choking the boy. Mrs. Bryant pleaded with her to "let go of my boy."

1-12-46

The white woman yelled, "You black N——r, you should be walking," and slapped Mrs. Bryant in the face. Mrs. Bryant, in an effort to keep the woman from hitting her again, and not noticing her pregnant condition, pushed her. The woman dropped to her seat, striking her face against an iron rod.

By this time the driver had stopped the bus and the passengers were scrambling for the door. The driver hollered: "You want a cop to arrest that woman?" The woman screamed and told the driver to get the whole police force. She was going to "put 'this thing' under the jail."

The driver called a patrolman. When he arrived all the passengers had disappeared, thus leaving no witnesses. Mrs. Bryant and her son were removed to the 17 precinct station, 51 and 3 av, where the desk sergeant refused to let Mrs. Bryant talk, according to her statement. She was booked and her son was jailed with her. They were taken to the 14 precinct and the boy was removed to the Welfare Shelter.

SEARCHED FOR WEAPONS

Never arrested before in her life, Mrs. Bryant indicated that she was greatly insulted when both the arresting officer and the jail matron attempted to search her for weapons. After City Hospital reported there was no internal injury to the accuser, bail was reduced to $500.

Active in Elkdom, Mrs. Bryant resides at 455 W 162 st and is employed at the Presbyterian Hospital.

1-12-46

Mrs. Bryant will appear in Felony Court, 100 Centre st, Thursday morning (January 10).

Listen Here, Mr. Editor

Jimcrow on Railroads In New York City

Daily Worker

Camp Butner, N.C.

Editor, Daily Worker: N.Y.

My Christmas holiday furlough in New York City was a beautiful one, considering the times in which we are living (with unfinished peoples wars of liberation) and the system we live by (reactionary - decadent - bourgeois, profit-gorging-imperialist coupon clippers, with its feudalist-bourbon-incipient fascist society).

Then I sought my seat on a Seaboard Railway train, the Meteor, New York-Miami bound, Jan. 2. There on the train, right in the heart of N. Y. C., was Jimcrow as the big, bad, bold fellow we know him to be in Bilboland.

1-16-46

What I want to know is can't something be done to deport Jimcrow out of N. Y. C.'s railroad stations and/or trains entering or leaving N. Y. C.? This denial of social equality, this obstruction to human decency, this decadent-feudalistic oppression by a class (bourgeois) of a people (the Negro) and a nation (the American) can and must be stopped. Let us hasten the day, O People's Champion, when all human beings will feel proud of their country and a system (socialism) which will recognize their dignity.

PFC. W. W. P.

29 1946

New York

Justice' walks of NY

You're Mrs. Esther Bryant of 11 E. 116 st. You're a mother. You're standing with your 10-year-old son in a crowded Madison av bus. this 27th day of December. The bus sways and jolts. Your son steps accidentally on the feet of a white woman who is sitting. The white woman loses her patience, even though your son says excuse him.

The white woman grabs your son's shirt collar, shoves him, pushes him, chokes him. You protest. The white woman says: "He stepped on my feet." And adds: "You damned 'niggers' ought to be working anyway."

You protest. The white woman rises from her seat and slaps you on the face. You—er—push her back into her seat. The white woman's face strikes a rod on the bus, causing a small gash. A tooth flies out of her mouth. She screams.

The bus driver stops the bus at Madison av and 56 st, midtown, New York. The white bus driver asks the white woman: "Do you want the police?" She yells: "Yes. I want to put this damned 'nigger' in jail." The driver calls a patrolman. The white patrolman asks the white woman: "Do you want to put her in jail?" The woman says: "Yes."

So you and your son are hauled to the police station where you are searched for weapons, none are found, you are fingerprinted and put in jail where you stay until bailed out 11 hours later.

The charge against you of second degree assault is lowered to simple assault, 3rd degree, in Felony Court, and your case comes up March 5 in Special Sessions Court, 100 Center st. Here the white woman admits pushing your son but says nothing about the word "nigger." And, although the Felony Court record says that you gave a push and she fell on the railing, you are convicted by two judges, Weibold and DeLuca, against the not-guilty verdict of Judge Hoffman.

You're stunned at the justice of the judges. You are told by them to come back Thursday, March 21, for sentence. You do. They order you to pay a fine of $50 by this Thursday, March 28, or go to jail for two days. That's your punishment for pushing a white woman who had already called you and your son—and by proxy, all Negroes—a name and then had slapped you.

During the war you helped American whites and Negroes by buying a war bond each and every week while you ran a trolley car in Brooklyn. You remember this and wonder why America should scold you and demand that you give up the maturity value of one of these bonds. [A.W.]

Jim Crow on Buses

Dear Editor:

What with civil-liberties laws in both the States of New Jersey and New York, where does a bus company get off instituting its own set of Jim Crow laws on its lines? Whom do they think they're kidding when the drivers tell a Negro who has a front seat reserved that "the office" has changed the seating arrangements? Try to protest and the driver pulls the "I'm-running-this-bus" gag. Let all of us who use the buses protest every case of such discrimination. If the drivers must do this to hold their jobs, let their union remember that here in the North the liberal, pro-labor vote includes millions of Negroes. . .

New York HAROLD STEIN

Persons discriminated against should seek redress under the law. Have other readers seen similar instances?—ED.

North Carolina (Arrests and Suits after U. S. Decision)

Held in JC Coach

MISS JUANITA JOHNSON

Train JC Fought by Morgan Grad

The Afro-American
Baltimore, Md.

BALTIMORE

Despite a recent Supreme Court ruling banning segregation on interstate transportation, Miss Juanita Johnson, Morgan College graduate and social worker, has reported being shunted to a jim-crow car on a recent trip to North Carolina. Sat. 11-16-46

As a result the young woman plans to file a suit against the Southern Railway Lines. The segregation was a direct violation of the court's ruling handed down in a suit filed by the AFRO-AMERICAN Newspapers.

Refused by Porter

Leaving Washington at 11:05 p.m., last Friday, Miss Johnson found the coach immediately behind the jim-crow car was locked but empty.

A porter refused to admit her to the empty coach, saying she could "sit in there," motioning toward the jim-crow coach.

When the conductor came to check tickets, Miss Johnson said she asked him about moving to another car and was told that she had a seat.

GI's Witness Incident

The conductor was evasive and refused to answer when asked whether colored passengers were being confined to one coach, the social worker reported.

Miss Johnson, who resides at 2309 Madison Ave., reported two soldier witnesses to the affair as Sgt. John W. Franklin, Sqdn. F, Branch 5, AAF, Greensboro, N.C., and Pvt. Ham Will, Co. E, TTC of Aberdeen, Md.

The complainant expressed surprise at the apparent complacency and satisfaction of other passengers in the jim-crow car. She studied at A. & T. College for two years before majoring in education at Morgan.

Case Testing Bus JC Ruling Won

The Afro-American
Baltimore, Md.

Charge Against Cleric Dropped in Raleigh

Sat. 10-19-46

RALEIGH, N.C.—The first case testing the legality of the U. S. Supreme Court decision in the Morgan case, which outlawed segregation on interstate buses, was won here recently by F. J. Carnage, attorney for the Rev. J. Leon Pridgen, in a suit involving the Carolina Coach Company.

The Rev. Mr. Pridgen, who was on his way to Norfolk, Va., from Raleigh on Sept. 28, had been ordered off a Carolina Coach bus and arrested for refusing to move from his front seat to one in the rear.

After Mr. Carnage reviewed arguments in the Morgan case, Alphonso Slaga, prosecutor, requested the presiding judge to drop a disorderly conduct charge against the minister for lack of evidence.

Refuses to Move

When asked by the driver, A. F. Collier, to move, the Rev. Mr. Pridgen had refused on the basis that "he posessed an interstate ticket, and that he was entitled to ride in any section of the bus he chose."

At this point, a city policeman was called, who arrested the Rev. Mr. Pridgen, charging him with disorderly conduct by failing to occupy a seat in the rear of the outbound bus.

29 1946

North Carolina (rrests and suits after U. S. Decision)

Bus Rider Fined In N. Carolina

The Tribune
Youngstown, Ohio
Thurs 6-27-46

Elizabeth City, N. C. (ANP)—Recorders' court here has an opportunity to take revenge on the supreme court's decision banning jim crow travel on interstate bus travel on June 17 when Judge L. S. Blades fined Mrs. Naomi Brown $10 and cost for violating North Carolina's jim crow law.

Mrs. Brown was on a visit here from Boston.

On Saturday morning, June 15, Mrs. Brown boarded a bus and took a seat up front among several white passengers, who, according to police, complained to the driver.

When she was asked to take a seat in the rear of the bus, it was reported that she refused to do so, and was then arrested.

POST NEW RULES FOR PASSENGERS

The Courier
Pittsburgh, Pa.
Sat. 9-7-46

By A. M. RIVERA Jr.
(Courier Correspondent)

RALEIGH, N. C. — The U. S. Supreme Court decision outlawing segregation on interstate buses is being defied by the Carolina Coach Company. All tickets, time-tables and posters in ticket windows carry this announcement:

"White persons will occupy space nearest the front of bus, and colored passengers will occupy space nearest the rear of the bus."

R. C. Hoffman, company manager, with offices in Raleigh, answered "Yes" when asked if it was the intention of the bus company to shift Interstate passengers.

IGNORES RULING

This policy of the bus company was first brought to the attention of The Pittsburgh Courier two weeks ago when a student, traveling from Virginia to North Carolina, was threatened by a bus driver because he refused to move to a rear seat. When reminded of the U. S. Supreme Court decision, the driver said "that will be taken care of in a few days."

Last week, a woman passenger traveling South from New York was ordered to the rear of the bus in North Carolina. She also refused and cited the decision rendered by the U. S. Supreme Court in the Irene Morgan case. She was told the law "doesn't mean a thing" and was told she would be jailed if she didn't move.

N. G. Lytton, manager of the Durham depot, informed The Courier that the rules and regulations calling for segregation had been in effect since the Motor Carriage Act was passed in June, 1935.

ONE OF FIVE "MUSTS"

The segregation rule is one of five "musts" posted by the bus company. "All passengers carried by this company are subject to these rules and regulations, and all company drivers, dispatchers and supervisors are instructed and directed to enforce them," the announcement reads.

Pittsburgh, Pa
Sat.

Mr. Hoffman said "all the rules apply to all the passengers." He refused to state whether the bus company was attempting to circumvent the Supreme Court.

He said posters were conspicuously displayed and therefore conformed to the law. He also admitted purchase of a ticket was considered by the company to constitute a conditional contract, which surrendered the rights of the passengers to the discretionary powers of the bus company, the Supreme Court ruling not withstanding.

9-7-46

Court Drops Charge In N.C. Bus Case

The Defender Sat.
Chicago, Ill. 10-19-46

RALEIGH, N. C. — Court here recognized the U. S. Supreme Court decision outlawing Jim Crow seating in interstate buses, and last week threw the case of the Caroline Coach Co., against the Rev. J. Leon Pridgen out of court.

Action came when Prosecutor Alfonso Lloyd told the judge that in the face of the high court rule, no conviction was possible.

The minister, traveling from Norfolk, Va., to Raleigh, N. C., had refused to obey a bus driver's order to move to the rear of the bus.

He was arrested and charged with disorderly conduct.

Stop Getting Mad ♦ Get Smart ♦ VOTE

Professor Takes 'Bus Seating' Case To Higher Court

The Weekly
New Orleans, La.
Sat. 8-10-46

(By The Associated Negro Press)

Raleigh, N. C., Aug. 7.—Dr. R. A. Young, woman professor at Shaw University here, announced she would take her case to a higher court after she was found guilty in nearby Nashville on a charge of violating a stage bus seating regulation and of resisting an officer. Given a suspended sentence, she immediately declared her intention of appealing to the Nash County Superior Court.

Charges were placed against Dr. Young on July 5 when she was riding on a Carolina Trailways bus going from Raleigh to Williamston. In Nashville, when the bus became crowded with passengers, the driver asked her to move to the rear of the bus. She refused and was arrested and hailed into court on a misdemeanor. She was presented by H. G. Connor and by Peter Bell Negro attorney of Plymouth.

Negro Woman Jailed, Refused to Give Up Seat

Brooklyn.

Editor, The Worker:

I thought your readers might be interested in the following excerpt from a letter just received from a friend in Raleigh, N. C.

"A Negro woman, a Ph.D. at a university for Negroes in Raleigh, was put in jail for refusing to give up her seat to allow a 'white' man to sit. The seat beside her was empty. But he refused to sit beside her. The papers, as far as I can tell, have mentioned nothing about her since she was jailed."

This may not be an important event of racial discrimination and persecution in the light of the current lynchings in the South, but it is, nontheless, a crime of no small proportions and ought to be publicized.

M. CARVER.

NEW BUS SEATING CASE

The Defender Chicago, Ill.

RALEIGH, N. C.—A new attempt of a southern bus company to ignore the Supreme Court decision outlawing Jim Crow seating in interstate buses was made last week when the Rev. J. L. Pridgen was arrested and charged with disorderly conduct when he refused to move to the rear of a Carolina Coach company bus. Pridgen held an interstate ticket. He was released.

Sat. 10-19-46

Two Claim Ejection From Diner

Courier-Journal

The Louisville & Nashville Railroad yesterday was sued for $50,000 by two Negro passengers who charge they were put out of the dining car of a Nashville-to-Cincinnati train.

The suit, to test legality of the L. & N.'s "curtain" system of segregating Negroes on its trains, was filed in Jefferson Circuit Court by Charles W. Anderson, Jr., Negro assistant Commonwealth's attorney. Sues 6-18-46

Anderson said it is L. & N. practice to curtain off two tables for Negro passengers at one end of the dining car. His clients found the curtain drawn back and these tables occupied by white passengers, he said.

Say They Were Ejected.

The Negroes, James E. Stamps, Chicago, and Ennis L. Powell, Charleston, W. Va., seated themselves at an unoccupied table elsewhere in the car, the suit alleges. Louisville

Then, it is complained, a steward, W. H. Kalfas, "wilfully, maliciously and forcibly" ejected them from the car. Kalfas called them "vile names" and threatened to have them arrested if they resisted, the suit charges. Atty.

The incident is alleged to have occurred the morning of March 17 while the train was passing through Kentucky en route to Cincinnati.

On Trains

$50,000 Damages Asked In Railroad Jim Crow Suit

Daily World - Sunday 6-23-46

Diner Service Attacked In Court Action; Trip To High Court Seen

CHICAGO— (ANP) — Following swiftly the supreme court decision declaring Virginia jim crow coach law unconstitutional, two separate actions charging discrimination and asking $25,000 damages each were filed here this week against the Louisville and Nashville railroad company on behalf of James E. Stamps of Chicago and Ennis L. Powell of Charleston, W Virginia. Wed 6-19-46

Mr. Stamps, manager of the southside office of the Social Security board here, also is generalel president of the Alumni Association of Fisk University and is active in Chicago civic affairs. Mr Powell, W. Virginia state manager for Supreme Liberty Life Insurance Company, is a member of the executive board of the Alumni Association of Fisk. The two were enroute to attend a meeting of the association when they allegedly were discriminated against by the railroad. Daily World

REFUSED SERVICE

In a complaint filed before the Interstate Commerce commission in Washington by Attys. Earl B. Dickerson, Sidney A. Jones Jr., Chicago and Belford V. Lawson of Washington, Stamps and Powell declare they were refused service in the diner of the Louisville and Nashville train, because the table set aside for Negroes was occupied. Although several tables in the "white" section of the diner were vacant, they were not allowed to use them, the two men said.

The complaint charges that acts of the railroad company are in violation of the Constitution of the United States and of the statutes of this country, and asks that the railroad cease such violations and discontinue the discriminatory and humiliating practice of using curtains around tables in the diner reserved for Negro passengers.

NARROW GROUNDS 6-22-46

Attys Dickerson and Jones, commenting on the suit, referred to the recent Virginia anti-discrimination victory, observing that the decision was placed on very narrow grounds. "We feel it is necessary to bring further litigation in an effort to correct other widespread and flagrant jim crow practices in interstate travel," they declared.

The three lawyers, aided by Atty. Charles W. Anderson Jr., of Louisville, announced that they are preparing to take the case to the United States supreme court, if necessary.

Two Suits Attack Jim-Crow Coaches

The Afro-American Baltimore, Md.

CHICAGO (ANP).—Following swiftly the Supreme Court decision outlawing interstate bus travel segregation, two separate actions charging discrimination and asking $25,000 damages each were filed here this week against the Louisville and Nashville Railroad Company. Sat.

They were filed in behalf of James E. Stamps, Social Security Board manager here, and Ennis E. Powell, West Virginia State manager for the Supreme Liberty Life Insurance Company at Charleston. 6-29-46

Mr. Stamps, general president, and Mr. Powell, a member of the executive board of the Fisk alumni association, were en route to a meeting of the association when they allegedly were discriminated against by the railroad.

Dining Car JC Cited

In a complaint filed before the Interstate Commerce Commission in Washington by Earl B. Dickerson, Sidney A. Jones Jr. and Belford V. Lawson of Washington, the two men declare that they were refused service in the train's diner because the "colored" table was full. The Afro-American

Although several tables in the "white" section of the diner were vacant, they said, they were not allowed to use them. Sat. 6-29-46

Charging violation of the Constitution and of Federal statutes, the complaint asks that the railroad cease its violations and discontinue the discriminatory and humiliating practice of using curtains around colored diners.

More Intense Action Vital

Commenting on the suit, the two Chicago lawyers said that the recent Virginia anti-discrimination victory was placed on very narrow grounds. Baltimore, Md.

Henceforth, they added, "It is necessary to bring further litigation in an effort to correct other widespread and flagrant jim-crow practices in interstate travel."

MUST SETTLE RIGHT

The Courier Pittsburgh, Pa.

By BENJAMIN E. MAYS Sa. Will Not Solve Problem 8-17-46

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier.—The Editors.)

Tricks and Dodges in Dining Car Service of Negroes

EATING in the dining cars in the South is usualy embarrassing to Negroes. The only encouraging sign is the fact that the railroad officials are conscious of the problem and are becoming more and more concerned about it. But the same old trait that seems to characterize human nature finds itself in evidence in the dining car situation. Instead of doing the right thing, which often necessitated their getting up as early as six or six-thirty in the morning in order to be served on an eat at six forty-five or seven; or they had to experience a period of waiting for all tables on the extreme end of the car. The only right and decent thing to do is to serve Negroes wherever there is space. It will never be settled until this is done. But now the railroads spend time and money and utilize the brains of some of their lawyers trying to get around doing what ultimately must be done — treat people as they come. Any solution short of justice is a temporary solution and will lead to further complications. Let us review briefly some of the methods used to solve the problem and show how inadequate all of them are and how humiliating they are.

Since I spend more time on the railroad than the average citizen, I feel qualified to speak.

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THERE WAS a time when Negroes could eat only very early, before white people were served. This usually meant one of two things: either Negro passengers had to wait before they are ready or hun-

Mr. Mays

gry, which often necessitated their getting up as early as six or six-thirty in the morning in order to be served on an eat at six forty-five or seven; or they had to experience a period of waiting for all tables on the extreme end of the car. The only right and decent thing to do is to serve Negroes wherever there is space. It will never be settled until this is done. But now the railroads spend time and money and utilize the brains of some of their lawyers trying to get around doing what ultimately must be done — treat people as they come. Any solution short of justice is a temporary solution and will lead to further complications. Let us review briefly some of the methods used to solve the problem and show how inadequate all of them are and how humiliating they are.

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2 Negro Vets Fight Bus Discrimination

The Worker New York, N.Y.

PHILADELPHIA.—Two young local Negro war veterans are fighting a jimcrow arrest for refusing to take segregated, rear seats in a bus going south from Washington. They are Samuel Russell, 40 E. Collom St., and John Young, 209 W. Price St. Sun. 11-3-46

They were arrested in Virginia and forced to post $10.25 bail. The NAACP is helping their defense.

South Carolina (Arrests and Suits after U. S. Decision)

Columbia, S. C. State
July 26, 1946

2 Negroes Held in Clash With Whites on Bus

Greenville, July 25—(AP)—Two Negro youths, one 15 and the other 18, have been arrested by city police on charges of disorderly conduct growing out of an incident on a city bus here Monday.

Investigating officers said the incident apparently started with an exchange of words between one of the Negroes and a white bus passenger and ended after a group of Negroes almost surrounded the bus at a regular stop where the Negro alighted. A few of the Negroes were held back by several white men as they attempted to get back on the bus, police said.

Palmetto State

Journal & Guide Norfolk, Va.

By O. E. McKAINE

COLUMBIA, S. C.—That this is the second year of the Third Revolution in the South, and particularly in South Carolina, is being confirmed almost daily. Last fall a young white Columbian, Paul B. Newman, was seated very comfortably in a coach on a train he boarded in New York to return to his native state.

Somewhere in North Carolina the train conductor told Mr. Newman that he would have to leave his comfortable seat, interrupt his friendly and animated conversation with some fellow Southerners of varying degrees of pigmentation and move into the coach reserved for 'whites.' This command of the conductor infuriated this scion of Ben Tillman and "Cotton Ed" Smith so deeply that he resolved to do something about this restriction on the free movement of a free American.

Sat 2-23-46

Mr. McKaine

Paul Newman is a veteran of World War II and is married to a native South Carolinian who teaches school in the city of Florence. When he related his anger and disgust over this incident to his wife she also became indignant and joined him in his decision to do something about this Jim Crow law and custom which separates friends from each other.

Proved Themselves People of Action

Proving themselves people of action, Mr. and Mrs. Newman are now attempting to organize a non-violent anti-Jim Crow protest involving the masses by requesting all Negroes and their white sympathizers to abstain from riding on Jim Crow buses and trains the first Sunday in each month. They have already obtained the official support of the Columbia NAACP Youth Branch and have stated that several pastors and civic and labor leaders of both races are in sympathy with their plans.

Their program may be "crack-pot;" it may not be realizable; but it will serve to dramatize the evils of Jim Crowism. And that is already accomplished.

Sat 2-23-46

Acted Against Filibuster

Among the 3,600 Southerners who signed a protest organized by the Southern Conference for Human Welfare against the FEPC filibuster were 14 prominent white South Carolinians among whom were members of the faculties of the University of South Carolina, Coker and Newberry Colleges.

Seek $3,000 Fund

State chairman John H. McCray of the Progressive Democratic Party is requesting that a fund of at least $3,000 be raised for the employment of a full time organizer. That such a person is needed to make the campaign for a larger registration of voters is beyond question and this writer hopes that South Carolinians living presently outside of the state will also contribute to this fund. It is possible that some day these expatriates will wish to return to the Palmetto State to live when we who have remained down here to fight it out have made our state really democratic.

Contributions received for this purpose will be earmarked and will not be used for any other activity. Send all contributions to "State Organizer," 1022½ Washington street, Columbia 20, S. C.

Idea Comes From White Southerner

Tampa Fla. Morning Tribune

COLUMBIA, S. C.—(ANP) — Paul B. Newman, white, was so disturbed when a train conductor forced him to yield a seat in a coach where also sat Negroes while returning from New York a few days ago that he proposes a nationwide plan to end jimcrow.

In a letter to James M. Hinton, state N.A.A.C.P. president, this week, Mr. Newman proposes that the first Sunday in each month be set aside as a "Protest Jim Crow" day. A non-work day the Sunday could be employed to stay off jim crow trains and busses of all classes, special anti-jim crow progress and even picketing of jim crow railroad and bus stations.

2-1-46

For non-residents of the South Mr. Newman would have northerners and others sponsor identical activities against companies operating both in their sections and the South.

Copies of the proposal are being submitted to all nationally operated progressive organizations, he said.

Open Day-a-Month Boycott Against Jim Crow In S. C.

Chicago Defender

Chicago Sat 2-23-46

COLUMBIA, S. C.—The first passive protest demonstration against Jim Crowism here this week was judged successful beyond expectation by the leaders of the Against Jim Crow Committee.

Led by the slogan "Don't spend your money to fatten Jim Crow at least one day in the month," Negro citizens this Sunday boycotted segregated public conveyances and places serving the general public.

John H. McCray, temporary committee chairman, reported that fewer Negroes rode city buses while local cab companies reported twice as many office calls for that Sunday.

The two Jim Crow movie houses reported a marked low in Sunday night attendance. Several whites cooperating with the protest called for and returned their servants to their homes on Sunday.

Headquarters also stated that leading white citizens called in, lauding the movement and pledging cooperation. One lawyer declared, "Anything we can do to arouse the people against injustice needs to be undertaken."

He praised as "sensible" the conception of the protest and the fashion in which it was conducted.

Local city authorities and daily newspapers conceded that there had been some cooperation with the committee by Negro citizens, but declared that the demonstration had not been successful.

It was disclosed Monday morning that while city and state officers had been alerted for possible violences, not a single instance of disorder, resulting from the demonstration, was booked at the police station.

Sat 3-23-46

Plans are underway to extend the movement into a national activity, it was announced, and several southern states have requested details of the demonstration.

Newspapers from all over the country, including many Southern dailies and powerful New York and Chicago dailies, have flooded the committee office with requests for information on the movement.

Posters displayed throughout the city picture a white man and a colored man shaking hands, each with a foot on the dead carcass of a crow.

S.C. NAACP Effects Release of Marine Jailed in Columbia

Afro-American Baltimore, Md.

COLUMBIA, S.C.—(ANP)—An NAACP protest over the arrest of Cpl. Linwood Brown, veteran of the 20th Marine Depot Co., at Union, S.C., while enroute home to Charleston, S.C., from China, resulted in his release without charges or fine, it was announced recently.

3-2-46

James M. Hinton, State NAACP president, said Cpl. Brown had been taken from the Carolina Special of the Southern Railway line after exchanging words with the conductor who asked Brown and Cpl. William Seabrook, also of the 20th Marine Depot to leave a coach platform.

Saturday

Brown upon refusing was taken from the train by a civilian officer at the conductor's request, the NAACP official said, and enroute to jail was allegedly struck several times with a blackjack. Freed after a night in jail, Cpl. Brown continued his trip after an NAACP protest had been filed with the Southern Railway.

White Citizen Seeks Anti-Jimcrow Day

Atlanta Daily World Atlanta, Ga.

1-25-46

COLUMBIA, S. C.—(SNS) — Irked by having to leave his seat among colored passengers on a southbound train because of his color, a white man, residing in Columbia, has launched a campaign to break down segregation through monthly observance of an Anti-Jim Crow Day.

Paul B. Newman, sponsor of the campaign, said he was returning to Columbia from a youth conference of the People's Institute of Applied Religion in New York, an inter-racial body and

Listen Here, Mr. Editor

The Worker New York, N.Y.

Columbia Citizens Fight Jimcrow

Columbia, S.C.

Editor, The Worker:

Countering the pseudo-religious programs of such organizations as Youth for Christ, which are spreading the seeds of bigotry and prejudice in the South to prepare for the day of the emergence of American fascism, the Anti-Jim-crow Committee of Columbia calls on you and all men of good will everywhere to aid in its program to end Jimcrowism.

We have organized a boycott of all transportation facilities to be conducted on the first Sunday of every month. This day is known as Jimcrow Sunday. We know that the overt and objectionable methods of segregation employed on trains and buses in the South symbolize the entire system of Jimcrowism in many people's minds! We hope to build through "Jimcrow Sunday" an enduring and powerful expression of public

opinion against Jimcrowism, and to start a wave of education and thought that will expose its evils to all. America's mistreatment of the Negro people, a legacy from days of human slavery, is our greatest shame, bar none.

The first Jimcrow Sunday in Columbia was reported by competent observers to have kept slightly less than one-half the usual number of Negro passengers off the buses. It is natural that this program should find its greatest support among the people forced to sit in the back seats. Soon, along with our program to get people out of back seats, we expect to persuade a good many out of the front! Lum 3-31-44

We intend to take the profit from Jimcrowism. We know that this is not a struggle of Negro against white (I am one of the whites on the committee). This is a protest against laws and the corrupt polltax minority that make them. It is an attack upon the old Bourbon policy of divide and exploit. B. P. N.

Southern Railroads Continue Jim Crow

Tribune
Washington, D.C.
Tuesday
6-11-46

(NNPA).—Trains leaving Washington for points in the South were continuing to carry Jim Crow cars, requiring colored passengers traveling from points in the North to ride in separate cars on leaving the Washington Terminal southbound.

Meantime, counsel for William J. Scott, Ralph Matthews and the Rev. William H. Jernagin, is a suit involving the application of Virginia's Jim Crow law to interstate passengers, said the case is now pending in tne United States of Appeals for the District of Columbia.

The trio were traveling from Philadelphia to Greensboro, N.C., and refused to move to the Jim Crow car between Washington and Alexandria, Va. They again refused to move into the Jim Crow car at Charlottesville, and when they did so again at Lynchburg, a police officer ordered them off the train.

6-11-46

They sued the Southern Railway in the District of Columbia Supreme Court. A jury returned a verdict in favor of the railroad, and the plaintiffs appealed. The case has been argued, and a decision is expected soon from the Courts of Appeals.

C. F. Alexander, assistant manager of the Atlantic Coast Line, last Friday said he expects his company to take some action soon on the question of interstate travel of colored people over that line.

As soon as the decision of the Supreme Court was announced in the Virginia Jim Crow interstate bus travel case, Mr. Alexander said, the general counsel of the Atlantic Coast Line at the headquarters in Wilmington, N.C., telegraphed for a copy of the court's opinion. Officials of the company are now studying the decision he said.

Tribune
Washington D.C.

No Instructions

L. M. Abbot, general solicitor of the Southern Railway Company, said he was not in a position to make any statement concerning the future policy of his railroad toward segregation o

colored interstate passengers until S. E. Prince, general counsel of the road, returned from New York where he is study the Supreme Court's decision.

Edward M. Plack, manager of the Seaboard Air Line here, said his office had received no instructions from the general headquarters at Norfolk, Va., as to changes of policy regarding the interstate travel of colored passengers.

Negroes in South Continue to Take Rear Bus Seats

ATLANTA, June 4 (AP).—Interstate bus travel segregation today was banned by a Supreme Court decision but Negroes throughout the South continued to file to the rear seats.

Most bs company officials said they had issued no directives for changing the custom of many years' standing. They explained that they were awaiting a study by counsel of yesterday's decision.

Mississippi's Governor Thomas Bailey sounded the keynote of most official Southern comment, asserting:

"Segregation will continue down here. Neither the whites nor the Negroes want it any other way. I don't believe there will be any friction. There never has been in this matter."

Earlier Gov. Chauncey Sparks of Alabama had described the Supreme Court ruling as "fertilizer for the Ku Klux Klan."

Habit proved stronger than the legal ruling at Alexandria, Va. The "Jim Crow" signs had been removed from the A. B. and W. bus line operating between Alexandria and near-by Washington, but most Negro passengers continued to take the rear seats.

I the Carolinas, Atlantic Greyhound Lines officials said instructions had been received from company headquarters at Charleston, W. Va., to permit Negroes to sit anywhere they wished. But, the officials added, they still were taking the rear seats.

L. C. Major, vice president of the Greyhound lines at Richmond, Va., said "of course, we'll comply." He said a copy of the court's opinion would be referred to the company's legal department before any orders were promulgated.

From Georgia westward to Louisiana and Arkansas came the same report—"awaiting review of the decision; Negroes occupying rear seats."

Vice Chairman Matt L. McWhorter of the Georgia Public Service Commission said the state would abide by the decision and commented: "It is my thought that Georgia laws providing for segregation will continue to be applicable to intrastate traffic."

Principle

MURIEL GRAVILLE, white and a fighter for humanity's decencies tells this one. She was awakened recently on an interstate bus in Tennessee by an altercation up front.

A middle-aged colored man passenger was adamant and vocal in his flat refusal to vacate a front seat and "move back" at the angry and insistent demand of the white bus driver. "You're taking up two seats as long as you sit here," shouted the driver.

"I'm taking up one seat," said the passenger, not bothering to state that it was not his concern if white passengers refused to sit next to him. "The law says I may sit here and I'm staying!"

The driver nearly frothed at the mouth. Through gritted teeth he managed: "If it wouldn't mean my job, I'd throw you off my bus!"

The passenger only made himself more comfortable, and finally the driver drove on. The climax came when the passenger reached his destination, gathered up his belongings, and beckoned to his wife whom all along had been occupying a back seat alone. While the driver counted ten, they calmly alighted and went on their way.

Defender, Chicago, Ill. 8-24-46

Texas (Arrests and Suits after U. S. Decision)

Texas Police Beat, Rob Seaman in Bus Episode

The Afro-American
Baltimore, Md.

Cops Jail, Bludgeon, Take $75 From Man Who Asks About Interstate Travel Rights

Sat. 8-17-46

NEW YORK—The beating and robbing of John Wesley Terry, a merchant seaman from New York, by cops in Beaumont, Texas, for "talking back" to a white bus driver, is another of the terror incidents now piling up throughout the nation.

Here, where he reported his case to the Civil Liberties Division of the Department of Justice, Terry told his own story of being beaten with an iron pipe, jailed, and robbed in the police station at Beaumont.

The seamans' storyy follows:

Asks Driver Question

"En route from Galveston to Beaumont, Texas, on July 20, on a bus with 14 other mixed members of the crew of the SS Attleboro, I sat near the middle of the bus because the back was filled up.

"When the bus driver asked me to get up, I asked him if I were on an interstate bus, and upon being told 'no,' I stood up.

"When we got to Beaumont, three officers were waiting for the bus. They searched all the colored passengers, and asking the driver if I was the fellow giving him trouble, detained me."

Beat with Iron Pipe

"I denied giving trouble, but one of the cops started throwing punches at me, while another stood with a drawn gun. They then took me in a car to the station, where I was kicked, beaten with an iron pipe and locked up.

"If it were not for the fact that I told them the other seamen who were with me on the bus would get in touch with authorities in New York, I am afraid I might have been killed.

tional Secretary Ferdinand Smith has called for an immediate investigation of the case, second one concerning Negro members of the NMU within the last few weeks.

In the victim's own words:

"On my return back to my ship about 10:30 p.m., I asked the bus driver to put me off at Longreach, as the lighting facilities were very low and it was difficult to recognize my destination. I don't recall whether the driver acquiesced or not.

"However, I paid my fare and went to the rear of the bus. I remained there until the bus driver said, 'Last stop.' I walked up to him and asked him if it was Longreach but got no reply whatever. I repeated the question, reminding the driver very courteously that I had asked him to let me off at Longreach.

"At this time his reply was, 'Get the hell away from me.' My response was 'okay.' Whereupon the driver got up from his chair and hit me with a revolver on the left eye and the impact of the bus threw me out of the bus. He did this despite the fact that I wore glasses at the time."

Gray required an ambulance, and, when taken to the hospital had to be drugged because of the pain. Later his eye was removed.

Seaman Loses Eye In Texas

Defender Chicago, Ill.
Sat. 9-21-46

Struck By Busman For Asking Question

HOUSTON, Tex.—The South's overall plan to insure white supremacy this week continued unabated as Joseph S. Gray, steward on the S.S. Nicholas S. Biddle, was partially blinded by a Texas bus driver.

National Maritime Union Na-

BUS PASSENGER KILLS POLICEMAN

The Courier Pittsburgh, Pa.

TYLER, Tex.—An unidentified bus passenger killed a policeman here last Wednesday, when the officer sought to make him move to the rear. The officer was stabbed as he pulled his gun. During the altercation two white men were shot. The assailant escaped. Sat. 7-6-46

Girl Student Defies Jim Crow In Texas

Defender
Chicago, Ill.
Sat. 9-21-46

ST. LOUIS.—How a small town Texas county sheriff forced a Howard University student from her seat aboard the crack Missouri-Pacific Sunshine Special, arrested, tried and convicted her, because she would not move to a Jim Crow car was revealed exclusively this week to the Chicago Defender.

Victim of the Dixie mistreatment is Miss Clarice Hutchinson, daughter of Mr. and Mrs. W. C. Burgess, 1739 Nolan st., San Antonio, Tex. When the special arrived at Texarkana, Tex., the conductor instructed her to move to the Jim Crow car.

When she did not respond, Miss Hutchinson said he asked her if that indicated her refusal to move. She said it did.

A short while later, the train pulled into Palestine, Tex., and stopped. The train supervisor, accompanied by the country sheriff boarded the train. The sheriff insisted on the student complying with the Jim Crow demands. She refused.

The courageous young woman was then taken to jail, but as the party arrived, the phone rang and after the sheriff talked to the caller, he drove her back to the station.

At the station, the train was still standing and the sheriff, together with three others including the supervisor went into a huddle. After this conference, Miss Hutchinson was driven to the county courthouse and "tried" for violating some obscure Texas law.

"It was a typical kangaroo court," the young woman said, "the kind you read about, but never actually experience."

She was fined $3 and costs, with the latter amounting to $15.

Miss Hutchinson paid the $20, was given a receipt and caught a bus to ride over 300 miles to her San Antonio home.

On her return to Howard, she stopped in this city conferring with her attorney, Robert L. Witherspoon with a view to possible legal action.

HU Senior Forced Off Train in Texas

The Afro-American
Baltimore, Md.

SAN ANTONIO, Texas (AFRO National Bureau) — Leading citizens here are incensed over the case of Miss Clarice Hutchinson, Howard University senior, who was forced off of a train and fined for failure to move into a jim-crow car. Sat.

Miss Hutchinson, who is enrolled in the Howard School of Music, is the daughter of a prominent local family. She also serves as secretary to Coach Jackson on a part-time basis. 8-10-46

She was en route home for summer vacation last week and had progressed without incident until she reached her native State at Palestine, Texas, where a conductor demanded that she move to the colored coach. Sat 8-10-46

She refused, declaring that she had been assured that she would experience no difficulty, as the train on which she was riding was a newly inaugurated service direct from New York to Mexico City.

At Palestine a policeman was summoned and Miss Hutchinson was placed under arrest and fined $20 for violation of the State jim crow law. She was detained until her parents arrived from San Antonio to take her home. Baltimore, Md.

The local NAACP is handling the case and will bring suit against the railroad and Palestine police.

29 1946 Virginia

Morgan Vs. State of Virginia

Case to be Supreme Court Hot Potato

By Richard Dier

Mrs. Irene Morgan, who was arrested and charged with violation of the Virginia statute requiring segregation of passengers. The Supreme Court of Virginia upheld the lower court decision. Mrs. Morgan has appealed to the U.S. Supreme Court.

At last a clear case to test the jim-crow travel laws of Southern States which segregate interstate passengers on interstate carriers is before the U.S. Supreme Court!

The case, which is the first real test to be made of a law which operates against colored passengers in a number of Southern States, involves Mrs. Irene A. Morgan of 550 W. 144th St., New York City.

She was arrested in Saluda, Va., and charged with violation of the Virginia statute requiring segregation of passengers.

The incident took place July 16, 1944, when Mrs. Morgan was a passenger on a Greyhound Bus from Gloucester County, Va., to Baltimore, Md.

Refused to Move

She refused to give up her seat to a white couple at a bus stop in Saluda. Arrested and forced to post $500 bail for her release, she was convicted and fined on Oct. 18, 1944, in the Circuit Court of Middlesex County.

Her case was promptly appealed to the Supreme Court of Virginia on a writ of error.

On June 6, 1945, the Circuit Court's judgment was upheld by the Supreme Court of Virginia on the grounds that the Virginia jim-crow statute was constitutional and applied to interstate as well as local passengers.

A motion for rehearing was filed and subsequently denied by the Supreme Court in September.

Not on Calendar Yet

Chief Justice Harlan F. Stone of the U.S. Supreme Court signed an order, Nov. 19, 1945, allowing her to appeal the judgment of the Supreme Court of Virginia. The U.S. Supreme Court has not placed the case on the calendar yet.

In an exclusive AFRO interview, Mrs. Morgan described the incident. She had been visiting her mother in Gloucester County, following an operation she had undergone in Baltimore.

She was returning to Baltimore for further medical treatment. She boarded a Greyhound Bus at 10 a.m. Sunday, July 16, 1944.

"The bus was quite crowded and there were a lot of people standing," Mrs. Morgan explained.

Ordered to Move

"A colored woman, who was seated, noticed I was tired and offered to let me sit on her lap. I accepted this offer because I was not feeling well, and sat on her lap for a few minutes in the rear of the bus.

"As the bus pulled into a stop in Saluda, a passenger vacated a seat, third from the rear, and I took it. A young colored woman with a baby in her arms sat next to me.

"It was around 11 a.m. now. Suddenly, the white bus driver came over and told us we would have to give up our seats to a young white couple who just got on the bus.

" 'You'll have to get up and give your seats to these people," he demanded.

"I told him I wouldn't mind exchanging seats with white people who were sitting behind me, and moving back to the rear of the bus. But he insisted that I give up my seat, get up and stand.

"I told him I wouldn't do it, and I repeated my offer. Evidently, that didn't satisfy him because he told me again to get up and till I get you to jail; I'll beat your head with a stick.' "

The names of the two men were Bristol and Segar.

"The jail was across the street from the Saluda bus station. They locked me up until 5:30 p.m. A minister, the Rev. Mr. Gale, whom I knew, got word to my mother back in Gloucester County. She rushed to the jail and posted a $500 bond before I was released."

Her arms were torn to pieces, Mrs. Morgan said, and treatment involved considerable medical expenses.

Dr. Tinsley, president of the Virginia State Conference of the NAACP, Spotswood Robinson III of Howard University and Thurgood Marshall of the NAACP took over her case.

On Oct. 18, 1944, she was convicted on two charges: she was fined $100 for resisting an officer, and $10 for violation of the State jim-crow law. She paid the $100 fine on the first charge, but appealed the second one.

"Means a Lot"

"This case means a lot to me," she told the AFRO, "because my family and I travel frequently to Virginia to visit my mother. My two children go there for summer vacations, and we all want to be able to travel without jim-crow restrictions."

Mrs. Morgan, who is 28, is intelligent and pretty. She is married and lives with her husband, Sherwood, and family in a large apartment house of which he is superintendent.

They have two children, a boy of 5 and a girl of 3.

Born in Baltimore, Mrs. Morgan was educated in the public and high schools there and attended business school in New York.

She works in Manhattan, caring for an invalid. She has been living in New York since last September.

stand."

Returns with Policemen

Mrs. Morgan said the driver got off the bus and returned with two white police officers.

They came over to her, and the driver said colored were to be seated when all whites were seated. One officer asked, "Are you gonna get up or not?"

"The officers said they had a warrant for me," Mrs. Morgan continued. "I asked them what the warrant was for. They both grabbed hold of me, each one tugging at one of my arms, and forced me out of my seat and out of the bus.

"When I told them they were hurting my arms, one said, 'Wait

Woman Ejected From Bus in Va.

ALEXANDRIA, Va. — Tearfully, Miss Tonita (Tony) Holmes related Monday how she was forcibly ejected from a Greyhound bus Monday evening here after being severely beaten by the white driver and a policeman when she objected to giving up her seat and moving to the rear of the bus.

Miss Holmes was en route from New York City, where she had been visiting her mother, Mrs. Mabel Slaughter, to Johnson City, Tenn.

Propped up on pillows and suffering from shock and internal injuries, Miss Holmes asserted that she was struck three times in her left side and once in right breast by the driver whose work number and bus number, she said, were "1114" and "34," respectively.

Four Days Out of Hospital

Before leaving New York City, Miss Holmes revealed, she had requested a seat near the back where she could rest comfortably, as she had been dismissed only four days from Mother Carbrini's Hospital in New York City.

Bus seat No. 25, she stated, was assigned to her. However, on arriving in Washington, she moved back to Seat No. 30, because of the large number of white persons who were boarding the bus.

Ordered to Back Seat

The bus driver ordered her to move to the back of the bus before the bus left Washington. She refused and presented her ticket, showing her seat number was "25."

The bus driver then allegedly remarked: "Wait until I get you across the Virginia line." At this point a white male passenger took the seat beside her, she added.

After crossing the Highway Bridge into Virginia, the driver stopped the bus and summoned a policeman. Both went back to where Miss Holmes was sitting.

The policeman demanded her to move to the back of the bus in a none-too-gentle tone of voice. After a heated argument, and before she could move her belongings, the bus driver, according to Miss Holmes, struck the four blows.

Another blow was aimed at her eyes, she said, but she blocked it by throwing up her left arm to protect her glasses.

During the interview, Miss Holmes exhibited a badly swollen left arm.

Miss Holmes then charged that she was next roughly seized by the hair and pulled down the aisle by the bus driver, aided by the policeman who kneed her in the back.

Lodged in Jail

Taken off the bus, Miss Holmes was lodged in Alexandria city jail and held incommunicado from 2 p.m. until 5 p.m., when she was released under a $25 bond, paid by Mrs. Annie Rose, 814 Duke St., at whose home she is now recuperating.

She was booked on charges of disorderly conduct.

Efforts are being made to place the case in the hands of the NAACP. Meanwhile, Miss Holmes's trial was scheduled for today (Thursday) in Alexandria Court.

Not Allowed to Testify

Miss Holmes, however, did not testify, her lawyer stating in an interview that she was advised not to because she was unable to

Represented by James H. Raby, Miss Holmes, because she was decidely upset

During the trial of the two ar-

resting officers, Robert Teacher and Wilmer Cator, later identified as Ernest Mounts, Roanoke, Va., did found guilty of disorderly conduct

by Assistant Judge Harry F. Kennedy, Alexandria Civil Police Courts, and fined $14.25, last Thursday.

produce any witnesses to corroborate her testimony and also

Supreme Court To Review Law On Segregation

The Supreme Court agreed yesterday to review a decision upholding a State law requiring bus drivers to segregate white and colored passengers in their vehicles.

Irene Morgan, Negro, appealed a decision by the Virginia Supreme Court. That court held the Virginia law represented a valid exercise of the State's police power.

The woman was fined $10 in the Middlesex County, Va., Circuit

Woman Thrown Off Bus Fined

ALEXANDRIA, Va. — Miss Tonita (Tony) Holmes, Johnson City, Tenn., who was ejected from a Greyhound bus last week, was found guilty of disorderly conduct by Assistant Judge Harry F. Kennedy, Alexandria Civil Police Courts, and fined $14.25, last Thursday.

Represented by James H. Raby, Alexandria attorney, Miss Holmes pleaded not guilty to the charge, and became extremely upset

During the trial of the two ar-

then she attemptd to express herself. 2-2-46

Neither the bus driver, nor any representatives of the bus company were present during the trial.

C. D. Tuckett, supervisor, Greyhound Bus Company, Roanoke, Va., was reached by telephone early Monday. He was able only to identify Mounts as the driver of the bus by the number given the AFRO previously by Miss Holmes, and stated he had not been informed of the incident.

Company Protected

Only the two officers, Teacher and Cator, testified against the defendant. It was said later that failure to call other witnesses was the result of an effort to prevent the bus company from becoming involved.

Conflicting statements on the part of both arresting officers were observed throughout the trial. It was further observed that the officers could not agree as to which one seized Miss Holmes by the hair and pulled her off the bus.

Judge Disinterested

Apparently disintested in the case, Assistant Judge Kennedy merely twiddled his thumbs throughout the entire case, and when it was stated that Miss Holmes was seized and pulled off the bus, he lowered his head and smiled slightly to himself.

A bond of $50 was posted by Lawyer Raby to make an appeal for another trial in a higher court. After the trial, Miss Holmes boarded a train for Johnson City, where she lives.

High Court Hears Afro American Hastie on Bus JC

Baltimore, Md.

WASHINGTON.

The doctrine that a State may not properly do anything that is inconsistent with national policy was urged upon the Supreme Court, Wednesday, by William H. Hastie, dean of the Howard University Law School.

The principle was argued by Mr. Hastie in seeking a reversal of a decision of the Supreme Court of Appeals of Virginia in the Irene Morgan case, holding the State jim-crow law applicable to inter-State bus passengers.

Cites UNO Charter

By ratification of the United Nations Charter, he contended, this country imbedded in its racial policy a prohibition against racism and pledged itself to respect fundamental freedom for all without distinction as to race, sex, language or religion.

"This national policy must properly be considered," he said, "and, if it is determined, as we believe it should be, that State manifestation of policy is different," that is sufficient grounds for reversal of the decision. Sat 4-6-46

Unlawful Invasion

The main thesis of his argument was that the Virginia law requiring segregation of white and colored passengers traveling by bus in inter-State commerce was an unlawful invasion by the State of an area where the Federal Government has exclusive jurisdiction.

IRENE MORGAN

Sat 4-6-46

Both Judge Hastie and Thurgood Marshall, special counsel for the NAACP, urged the high tribunal to reverse the judgment of the Supreme Court of Appeals of Virginia.

That judicial body upheld the conviction of Mrs. Irene Morgan of Baltimore for refusing to move to the rear of a bus when directed to do so by the driver.

State Law Questioned

Attorney General Abram P. Staples of Virginia contended that the statute in question imposed the duty upon the carrier, the Richmond Greyhound Lines, Inc., to regulate the seating of passengers.

His argument followed that the carrier complied with this provision of law and, in fact, instituted proceedings which resulted in the arrest and conviction of Mrs. Morgan.

Segregation Case Costs Man $5

Times-Dispatch
Richmond, Va.

Charged with failing to comply with the race-segregation law on a public conveyance, Walton Parks, of the 300 block West Main St., was fined in Police Court yesterday.

Parks, who was arrested on complaint of C. F. Conway, driver of a Virginia Electric and Power Company bus, refused to move from a section of the vehicle reserved for Negroes, the court was told. Sat 4-6-46

"I want it understood," Justice Carlton E. Jewett said, "that the law applies to whites as well as to Negroes."

Parks was fined $5 and costs on the formal charge of disorderly conduct.

Virginia Draftees Refuse to Sit With Negroes, Leave Bus

Post
Suffolk, Va., June 10 (AP).—The first repercussion of the U. S. Supreme Court's ruling against segregation of races on interstate buses was felt in Virginia today when 23 white Nansemond County draftees left a Greyhound bus rather than sit next to Negroes. Mon 6-11-46

The draftees, headed for Richmond for induction, walked off the bus because, they said, Negroes occupied half of the many available seats and refused to double up.

The draftees, however, boarded the next Greyhound bus which left here at 11:50 a. m. for Richmond.

M. P. Spivey, in charge of the Suffolk men, and Melvin Brinkley, of White Marsh rd., in charge of the men living out in the county, said that Negroes occupied about half of the seats in the rear of the bus, with only one Negro to a seat and that they refused to double up. Washington, D.C.

"The men left the bus on their own initiative," Spivey said, "and I joined them, along with Brinkley. We are waiting for the next bus, and if we have to sit with Negroes we'll keep on waiting."

Democracy by Coercion

Editor of The Times-Dispatch:

Virginia has been coerced to a further degree of decency and democracy. Once again citizens of color have found that their human and constitutional rights have been deprived them by the arms of the State under illegal legislation, and once again they have seen that fair play and justice must be solicited beyond our borders.

This aspect of the recent interstate travel decision of the United States Supreme Court cannot wisely be ignored. Richmond, Va.

Must white Virginians continue to be coerced by Federal power into allowing "liberty and justice for all?" Can we not clean out own house of the caste system, of factory and school-house discrimination, and of our many other forms of pseudo-legal repression? Or must we "Cavaliers" forever be driven by outside forces into the paths of equity and humane conduct? Friday 6-7-46

STRAUGHAN L. GETTIER.
Richmond.

Court Voids Jim Crowism On Interstate Bus Lines

6-1 Decision Says States Cannot Require Separation; Burton Dissents

Post

The United States Supreme Court yesterday ruled that "Jim Crow" laws on interstate buses are unconstitutional.

In a 6 to 1 decision given on a Negro's appeal from a Virginia Supreme Court ruling, the High Tribunal held that a State cannot require segregation of white and Negro passengers in buses crossing State lines.

Justice Stanley F. Reed, in delivering the far-reaching decision, said "where uniformity is essential for the functioning of commerce, a State may not interpose its local regulation." 6-4-46-Tues

Burton Dissents

Justice Harold W. Burton wrote the dissenting opinion, holding it is a fundamental concept of the Constitution "that where conditions are diverse the solution of problems arising out of them may well come through the application of diversified treatment matching the diversified needs as determined by our local governments."

The decision did not refer to possible effects on "Jim Crow" laws affecting railroads.

Justices Hugo L. Black and Felix Frankfurter delivered concurring opinions.

Justice Reed said 18 States prohibit racial separation on public carriers and 10 require segregation on motor carriers. He held that the Virginia statute imposes an undue burden on interstate commerce. Washington, D.C.

No Federal Act

"As there is no Federal act dealing with the separation of races in interstate transportation," he explained, "we must decide the validity of this Virginia statute on the challenge that it interferes with commerce, as a matter of balance between exercise of the local police power and the need for National uniformity in the regeulations for interstate travel.

"It seems clear to us that seating arrangements for the different races in interstate motor travel requires a single, uniform rule to promote and protect national travel."

The appeal was brought to the high court by Irene Morgan, who was fined $10 because she refused to change seats on request of a Greyhound bus driver en route from Norfolk to Baltimore. She was ejected and fined in the Middlesex County (Va.) Circuit Court.

The Virginia high court ruled the law did not result in discrimination against whites or Negroes and dd not violate the Federal Constitution.

Burton's Opinion

Justice Burton said he believed "the inaction of Congress is an important indication that, in the opinion of Congress, this issue is better met wthout nationally uniform affirmative regulation than with it. The fact that 18 States have prohibited in some degree assume they were right, but that does not make any difference. The newspaper had a right to say what it did and the courts had no right to punish the paper for doing so. If the reports were not true, Justice Reed held, the Florida judges could sue for libel.

Concurring Opinions Given

6-4-46-Tues.

The only time the courts can punish for contempt of court, Justice Reed pointed out, is when there has been a clear danger to the fair administration of justice. Reed said he could find no such danger in comment on the actions of the judges and the courts, even though it was unfair and untrue.

Justice Reed spoke for himself and for Justice Black, Douglas and Burton.

Justice Frankfurter agreed in a long separate opinion which stressed that the Miami Herald wrote sharply of what had been done by the courts, but was not trying to swing the court one way or the other in cases that had not yet decided. Washington, D.C.

Frankfurter found much that he did not like in newspaper treatment of court news and said too many cases are tried in the papers before they come before the courts. But he said these evils were not to be cured by clamping down judicial censorships, because "without a free press there can be no free society."

Legal Reporting Critized

Justice Murphy in another concurring opinion said that to uphold the Florida court would be to approve "an unwarranted sanction upon the freedom of the press."

This freedom, said Murphy, carries with it the right to criticize and disparage, even though the terms be vitriolic, scurrilous or erroneous.

Justice Rutledge said in a third concurring opinion that "there is perhaps no area of news more in opinion that accurately reported factually, on the whole, though with some notable exceptions, than legal news." Newspaper men generally are not lawyers, he pointed out.

But, said Rutledge, the press must have some latitude to function as a critical agency of democracy.

The Skies Won't Fall

Times-Dispatch

THE Supreme Court's ruling abolishing segregation on interstate buses is nothing to be alarmed about. It probably means that similar segregation in interstate rail travel also now is unconstitutional, although the court has not said so specifically. There is no segregation on commercial planes. Time

The fact that many of the customs and laws having to do with segregation on public carriers were loosely enforced during the recent war, should reassure those who think there is something catastrophic about the court's ruling. Railroads during the war, and even before, gave up trying to keep members of the two races completely separated. Pullman space was occupied regularly by Negroes, and they were admitted to the diner, as they are now. On crowded interstate buses, as well as on urban buses and streetcars, drivers during the war frequently were sensible enough not to be too strict in enforcing the letter of the law. They knew that to do so would bring the races into closer contact than ever, by compelling colored persons to go to the rear through densely packed aisles, and then to struggle back to the front door again.

It will be recalled that the Supreme Court held in 1941 that Negroes traveling buses places that tribunal in a more from one State to another by train are advanced position on this issue. entitled to accommodations equal to The fact that the Supreme Court has those furnished white persons. This was now held segregation on interstate bus and in response to a test case brought by lines to be unconstitutional hardly imMR. JUSTICE REED, a native of Kentucky a single, uniform rule to promote and who studied at the University of Vir- protect national travel," a pronounce- ginia Law School, takes the position that ment that would seem to apply with segregation of the races on interstate equal force to rail travel, and which buses puts an undue burden on inter- constitutes a virtual invitation to Con- state commerce. The court adds that gress to supply the "uniform rule" re- "seating arrangements for the different ferred to.

The court's ruling this week that all lines will ultimately be abolished.

Capital Comment

By VIRGINIA GARDNER

GOING FROM THIS JIMCRO CITY to the nearby, equally or more jimcro city of Baltimore, you look up the family of Mrs. Irene Morgan and find a sign on the house they occupy that it has been condemned. Yet it is one of the "better" neighborhoods of the scant few allowed to Negroes. Restrictive race covenants, a subject the Supreme court refused to go into in the Mays case, flourish in Baltimore. The city's 225,000 Negroes are crowded into accomodations for 70,000. The Baltimore Housing Authority boasts that it has wiped off 84 acres of slums from Baltimore's map during the past five years, but when I queried the BHA as to how many acres that left, the experts did some figuring and replied, "Between five and six hundred."

"IRENE'S MOTHER deserves a lot of credit in this," said James Finney, a brother-in-law of Irene Morgan, whose arrest for refusing to move to the rear of a Greyhound bus in Virginia was carried to the Supreme Court and resulted in the historic decision ending segregation in interstate bus travel. "It was on her way back here to Baltimore from a visit with her mother — Mrs. Ethel Amos — in Gloucester County, Virginia, that this occurred," he said. "I guess it was the pent-up bitterness of years of seeing the colored people pushed around which made Irene act. Then her mother got to work and raised the money to make bond for Irene when she decided to appeal her conviction in the lower court." Irene's mother is rearing her two children, while she works.

At the time the elderly woman took up the cudgel in her daughter's case, Irene had no attorney, no advisers. She acted as her own attorney when she entered a motion for appeal. It was afterwards that William H. Hastie and Thurgood Marshall entered the case. "We're elated, of course," said Finney. "And most grateful to NAACP. It's a milestone, and should help in the fight against segregation here." His wife, Irene's sister, Jim Finney, is a social case worker in the city department of public welfare. Her husband has been studying for a doctor of adult education degree in Columbia university. Irene worked in Martin's bomber plant near Baltimore during the war.

WAITING FOR A BUS at the Pentagon building, your correspondent asked a young Negro woman bound for home after a days work there, about her own experiences in bus travel since the Supreme court decision. "One reason most of us continue to occupy rear seats," she said, "is because often they are the only ones vacant. But it is true that we will have to begin taking other seats, or we'll be segregating ourselves. For some of us it's very hard, for we just don't like to be conspicuous, or embarrassed. I realize, though, someone has to go first." And she turned to her book, which she was reading as she waited on a bench. It was a French grammar.

Why Not Abolish "Jim Crowism"

From Portsmouth (Va.) Star

C. L. Major, president and general manager of Richmond Greyhound lines, is to be congratulated upon his decision to comply fully with the Supreme Court mandate invalidating Virginia's "Jim Crow" law affecting interstate buses, instead of resorting to subterfuge and evasion.

"We obtained a copy of the decision," Mr. Major is quoted as saying, "and as we interpet it the decision affects any bus crossing a state line. Since any bus we operate crosses some state line, we are going to comply fully with the Supreme Court decision."

Henceforth, Richmond Greyhound will allow passengers to select any seat they want when they board a bus. "The company," Mr. Major reportedly said, "will not try to distinguish between interstate and intrastate passengers." Mr. Major is right. How could he do otherwise?

Why should not Virginia companies operating local buses be permitted to follow suit? Present "Jim Crow" regulations are a constant source of friction. Perhaps elimination of the "Jim Crow" system, after a brief interval of adjustment, would mean elimination of much of this friction.

Walter Wh

The Defender Chicago, Ill.

Tribute To Legal Fighters

THE EDITORIAL pages and the multitudinous columns of the Negro press are filled each week with dolorous dissertations on the hopelessness of the Negro's plight. Every hand is turned against the sepia brother. The forces of evil organize to push him and every other minority further down.

Most of what is written is true. But occasionally occur other events of gallant and successful forages against the enemy which lift the spirit and give birth to hope. Of such was the appearance recently before the United States Supreme Court of two youngish Negro lawyers, William H. Hastie and Thurgood Marshall, who by their native ability, legal training and, above all else, their willingness to spend many long hours of preparation and study enabled them to do a job which would have made you as proud as it did those of us who sat in the courtroom and listened to them.

The case was that of Mrs. Irene Morgan, a colored woman, who had boarded a bus in Norfolk, Va., to travel to Baltimore, Md. Because of her color she had been ordered by an arrogant cracker bus driver to move to the rear of the bus. When she courageously refused she had been arrested, thrown into jail overnight, and fined ten dollars. Instead of meek submission, Mrs. Morgan with the aid of the NAACP had appealed her conviction all the way to the Supreme Court. She fought as have so many other Negro mothers fought not for herself alone but because she knew that if she battled humiliation and discrimination, it might be made easier for others.

Display Skill And Training

WITH THE quiet confidence which is born of knowledge both of what the law is as well as what is right and just. Messrs. Marshall and Hastie faced the court which has made tremble the knees of many lawyers earning hundreds of thousands of dollars a year. Had they been less accustomed to the austere dignity of their surroundings they might have been intimidated by the cavalier treatment the court had accorded the eminent and high-priced lawyers whose case had preceded theirs. But when they arose to argue Mrs. Morgan's case, the atmosphere of the entire court underwent a remarkable metamorphosis. The justices followed every word with attention and respect. The manner of most of them was almost deferential. Unconsciously they revealed that they respected not only the legal erudition of the Negro lawyers but the unselfish spirit which caused them and their associates like Leon Ransom, George Johnson and others to be present in the court.

Any race which can produce men of such character and ability need never be ashamed. Instead it should be grateful and proud. A less unselfish man than William Hastie would, at that moment, have counted the possible costs to himself and ducked the issue involved in a case which conceivably may smash the whole miserable and vicious Jim Crow car system of the South. Judge Hastie's confirmation as governor of the Virgin Islands was then hanging in the balance before the United States Senate. A lesser man, selfishly concerned only with his own interests, would have feared that arguing a case like Mrs. Morgan's would have affected adversely his confirmation. I know from personal knowledge this never occurred to Judge Hastie then or since.

Heard In Spite Of Bilbo

THAT IS why I use this space to pay tribute and express deep gratitude for you and me to Messrs. Hastie, Marshall, Ransom, Johnson, Spottswood Robinson and all the others who through many long nights when you and I slept or revelled, worked in our behalf. Has it ever occurred to you what might be our lot and the state of democracy had not these men and others like them fought and won without praise or compensation the successful fights of Negroes and of all other Americans for the right to vote, a trial in courts free of mob domination, equal education, freedom from the third degree, the chance to work and live as human beings?

Holmes Case Dropped; Employer Plans Action

ALEXANDRIA, Va.—A $50 bond appealing the case of Miss Tonita (Tony) Holmes, who was ejected forcibly from a Greyhound bus and fined $14.25 recently, has been withdrawn, according to James H. Raby, her attorney.

It was pointed out that her counsel had not heard from her since she left for Johnson City, Tenn., over a week ago.

The case, it is believed, will be pushed by interested parties, including her employer, a white retired Army captain. Several witnesses, it was learned, have been found, and have expressed willingness to testify in court.

Employer May Act

In a letter to local residents who interceded in Miss Holmes's behalf, her employer said:

"I thank you for coming to Miss Holmes's rescue. I say 'rescue,' for surely those people are beasts. Their treatment of her was cruel and beyond description.

"I have had her confined to bed since her arrival home as she is suffering from abuse and shock. She complains of headaches and pains in the spine. I fear her back is badly injured.

Deplores Disunity

"Tomorrow, I am consulting a firm of lawyers, and if we have a leg to stand on, we will prosecute those responsible for her treatment. Surely there is someone who saw them beat her.

"It seems that the colored people in the South have not yet learned to stick together. As long as they fail to support each other that certain white element will persecute them.

"Recently, I retired from the U.S. Army after 33 years service. I have seen some cruel things happen in my time, but none to compare to what happened to her—and, too, in what is supposed to be a civilized country.

"In the Army, a case like this would not have been covered up. It would have been blared all over the country and justice would have been done.

er attacks a woman because she is colored, and no one seems to have seen it.

"I will wager that she is not the only one he has beaten. Too bad it did not happen in New York, for the element would have killed him."

The name of Miss Holmes's employer has been withheld for obvious reasons.

"Why is it that our police and people like a bus driver can get away with beating someone? If a thing like that occurred in the Army they would be the first to commence raving about it.

Jim Crow in Virginia

Some time ago a Negro politician made a rather sarcastic observation to the effect that it was impossible to be a Southerner and a Christian at the same time. The recent victory for Jim Crow in regard to interstate bus service between Virginia and the North would appear to give credence to this observation.

Abram P. Staples, attorney general of Virginia, defended Jim Crow by the assertion that "Only the Great Master who created and endowed mankind with these infirmities can eradicate them." With all due respect to Mr. Staples' Christianity, if I felt as he did about the Great Master I would immediately become an atheist.

As a Southerner, it has been my pleasure to observe that we Southerners suffer, in common with the Nazis, a terrific inferiority complex. We are not endowed by the Great Master with any prejudices whatever; but with a vast underpaid region of sweatshops and slums, we have to walk around with chips on our shoulders to justify intolerances and economic ills, and we dare any authentic Christian or democratic citizen to knock the chips off. Our Jim Crow laws, blue laws, antievolution and antidemocratic laws are entirely the product of adult minds and adult legislation—it is purjury and blasphemy to blame a Christian God for acts of the devil in the region south of the Potomac. Jim Crow, unlike a flood, cannot be called an act of God.

SOUTHERNER.

Alexandria, March 29.

Supreme court accepts Jim Crow travel case

WASHINGTON, D. C.—The United States Supreme Court "noted probable jurisdiction" in the case of Irene Morgan vs. the Commonwealth of Virginia, Jan. 28, thus accepting for hearing the whole question of the segregation of interstate passengers on any part of a common carrier.

Although the Court has previously ruled that first class accomodations, including the pullman berths and lounge and club cars which go with first class fare, may not be denied Negroes, it has never ruled on the application of Jim Crow statutes to interstate passengers.

The present suit will be presented by NAACP lawyers for Mrs. Morgan, who, in October, 1944, was found guilty by a Virginia circuit court of violating the state Jim Crow travel law while going from Norfolk, Va., to Baltimore, Md., in a bus.

Civil Liberties Union Files Brief Attacking Virginia Segregation

NEW YORK—The U. S. Supreme Court is asked to declare state laws providing racial segregation in inter-state travel unconstitutional in a brief by the American Civil Liberties Union supporting the appeal of Irene Morgan, scheduled for hearing March 7.

Miss Morgan is appealing through the National Association for the Advancement of Colored People against a decision of the Virginia Supreme Court last year upholding her convictions under a state law providing racial segregation on busses. The ACLU is asking the Supreme Court to abandon as unconstitutional its traditional ruling that segregation is legal so long as there is no difference in the accommodations provided for the two races.

ON THE BRIEF

On the brief for the ACLU are Gregory Hankin, former public utilities commissioner for the District of Columbia; Victor Rotnem, former chief civil rights section of the U. S. Department of Justice; and Arthur Garfield Hays and Osmond K. Fraenkel, counsel for the ACLU.

The brief points out that discrimination is outlawed by the Fourteenth Amendment to the Constitution, and then advances the novel argument that segregation itself is a form of discrimination regardless of the accommodations provided. It points out that the terms "white" and "colored" are used by many persons as terms of value, having the same meaning as "superior" and inferior"; and therefore when there is segregation members of the colored race are exposed to abuse and humiliation.

"Segregation is the very thing that makes the service unequal and discriminatory, by far more so than differences in the comfort of the seats, the amount of congestion, etc." the ACLU says. "Many persons would much rather submit to physical discomfort than to abuse because of their race, which is treated as if it were a social stigma. If, as a part of a transportation service, some passengers are enabled to ride in comfort while others are subjected to discomfort, there is discrimination and it is of little importance whether the discomfort arises from a hard seat, or from being stamped with the label of inferiority."

ATTACKS VIRGINIA LAW

The ACLU also attacks the Virginia law on the ground that it is an unconstitutional interference by a state with interstate commerce, and because it gives to busdrivers charged with maintaining segregation unconstitutional powers over the conduct of their passengers.

Miss Morgan's appeal will be argued before the Supreme Court by William H. Hastie, recently appointed governor of the Virgin Islands, and Thurgood Marshall, both as counsel for the NAACP.

White Man Who Believes All Men Equal Is Fined In Court

PORTSMOUTH—This city's latest "racial incident," on one of the public buses, took a queer twist when a white man was arrested and consequently fined in Portsmouth Police court on charges of disorderly conduct on a bus."

The incident occurred on a bus of the Piedmont-Truxton line. Proceeding southward, the bus was rapidly filling. A white woman and her child occupied the cross seat nearest the front door. The white man, Isaac Wasser, who operates a store at 401 Gosport road, was sitting in the front seat, just behind the driver.

As the seats filled in the rear, a colored man sat beside the white woman and her child and another colored man sat beside Mr. Wasser. At this point the driver, identified in police court records as J. B. Devine, asked Mr. Wasser to change seats with the colored man who was sitting near the white woman.

HE INSISTED

Mr. Wasser refused and insisted on retaining his seat, informing the driver that he had no objection to the colored man sitting beside him. The driver reminded him of Virginia's jim crow law, but Mr. Wasser still would not move.

At a point near Truxton, the driver issued transfers to all of the passengers on the bus and asked them to get off. He then carried Mr. Wasser to jail.

Facing the charges in police court last Friday morning, Mr. Wasser testified that "I believe as Abraham Lincoln did—that all men are created equal."

After hearing all testimony, Judge W. H. Oast fined the man $10 and costs.

Mr. Wasser told the Guide this week that he wanted to appeal the police court decision, but on advice of counsel, he has paid the fine.

He declared that he had never been arrested before in his life. He is 67 years old.

Commenting on the racial segregation laws, which are currently drawing world condemnation on the South, Mr. Wasser said, 'It's the rottenest situation I have ever heard of. Since Nazism was exterminated in Germany, I know of no other place on earth where there are racial segregation laws that cause so much humiliation and friction between the races . . ."

Segregation on Buses

In his letter of April 21 Mr. Edward Gasson expressed indignation at the inequities suffered by Negroes on the A. B. & W. buses in Alexandria, in the enforcement

Was the Fight in Vain?

Editor of The Times-Dispatch:

On April 6, a friend, two school children and I attended Open House in celebration of Army Day at Camp Lee. Shortly after our arrival we boarded a camp bus which had been provided to take guests on a tour of the post. Scarcely had we seated ourselves when a guide asked if we four colored people would mind taking a near-by bus which had seats for four more passengers. The bus in question, which we had not noticed previously, was filled with Negroes. My companion asked if it mattered who filled the bus. The guide hastily said, that it didn't, but he thought that we would rather have a bus that was ready to leave. This last remark was pointless since the bus we were on left immediately with its load of mixed passengers.

We had been given to understand that no discrimination would be permitted on the post that day so naturally we were surprised when the guide attempted to segregate us. My brother, my friend's husband and many other Negro soldiers fought in this past war for democracy and when our faces are slapped like that on Army Day on an Army post we have to wonder if they fought in vain.

MRS. C. L. EVANS.

Petersburg.

So you "Cavaliers," if you are not too tired or disgusted, rear back and give a good old Rebel yell, and let's see that the bus of the public, or have they become their way paying no heed to the war-weary, or have they just gone

CLAUDE ROANE.

Williamsburg.

Separate Buses

Negro receives equal ju[illegible] has happened to the people of Vir[illegible]companies have to put on more the law [illegible]ginia? Are they rich now and tired[illegible]buses so that [illegible]mfes and

STANTIA H. CALKINS.

[illegible]dria, Va.

[illegible] The Times-Dispatch:

[illegible] with Straughan L. Get[illegible] do and not do in our beloved [illegible]s letter of the 7th. What State?

I agree with [illegible] come in and tell us what we can

CONSTANTIA H. CALKINS.

Alexandria, Va.

For Separate Buses

Editor of The Times-Dispatch:

I agree with [illegible] that the Negroes can ride separately as Southerners can do is to see that responsible [illegible] they are impartially enforced and

Rail Segregation Continues On Trains Through Richmond

Irene Morgan Case
Richmond, Va.

Railroads operating through Richmond yesterday were continuing to segregate white and Negro passengers in separate cars, and representatives of two roads said they did not believe last Monday's Supreme Court action in the bus segregation case would apply to train travel.

C. L. Toney, division passenger agent for the Southern Railway, exhibited a company news bulletin which quoted the court's opinion along with a statement that the action does not affect the railroads. Mr. Toney said his office was continuing to sell tickets to Negroes only for space on cars reserved for them.

"We're selling tickets here just as we've been doing for 30 years," he declared. Sunday 6-7-46

SAL Follows Lead

An official of the Seaboard Air Line Railroad in Norfolk said his line provides separate accommodations for Negroes and that the company does not feel obligated to change this practice as a result of the Supreme Court's ruling outlawing segregation on buses when Negro passengers are traveling interstate.

Norman Call, president of the RF&P, said attorneys of that road were studying the court's decision and that for the present, at least, there would be no change in the company's policies as to its accommodations for Negro passengers. He said Negro passengers on that road ride in separate cars or in cars which have partitions separating white and Negro travellers. The accommodations for the Negroes are equal to those for whites, he added. 6-7-46

A. T. Lowmaster, executive vice-president of the C&O, was out of the city yesterday and no other company official would comment on the matter. Representatives of other roads said they were continuing to segregate Negro passengers. 6-7-46

No Bus Changes Noted

A spokesman for Virginia Trailways, which operates buses out of its terminal at Ninth and Broad Streets, said he had noticed no change as to seating on buses. He said Negroes still were taking the rear seats and that he had not heard of a single instance in which a Negro passenger "tried to sit up front." He said the company will, of course, abide by the law and allow Negroes in interstate travel to sit wherever they wish.

He added that he had noticed an increase in the last couple of days in the number of Negroes attempting to sit in the white waiting room, but that they had moved to the Negro waiting room when requested. Irene Morgan case

The Richmond Greyhound Lines previously had announced that it would allow Negro passengers to occupy any available seats and would not attempt to distinguish between interstate and intrastate travelers. 6-7-46

Law Cited

When the Supreme Court's decision was announced Monday, A. P. Staples, Virginia's Attorney-General, expressed the informal opinion that it would apply to railroads as well as to buses. Spottswood Robinson, III, Negro attorney in the case before the Supreme Court, told the Richmond branch of the National Association for the Advancement of Colored People Wednesday night that "it appears without a doubt" the court's ruling will apply to railroad and steamboat travel.

Monday's court decision was in the case of Irene Morgan, a Negro woman, who refused to change seats at the request of a bus driver. The court ruled that such segregation was an unnecessary burden on interstate commerce.

Federal Guard Accused of Violating Bus J.C. Law

Afro-American

RICHMOND.—Arrested for refusing to "move to the rear" of a Carolina Trailways bus here Monday afternoon, John Raigns, 44, of 2015 15th St., N.W., Washington, appeared in police court Tuesday and had his case postponed to May 28. 6-1-46

Mr. Raigns, a U.S. special policeman and guard at the Naval and Civil Aeronautics Building in Washington, was arrested on Chamberlayne Ave. in Richmond after he was ordered off the bus by police.

He was en route home from a visit to his mother, Mrs. Lizzie Raigns, of Dunn, N.C., when a white woman ordered him to the rear that she might take his seat.

Ignored White Woman

Colored passengers filling all seats behind him, Mr. Raigns told the AFRO, he ignored her and kept looking out through the window. When she continued to insist and the driver stopped, he offered to move if ordered to do so by the driver, he said.

The bus driver did not order him to move, Mr. Raigns said, but went to a telephone and called the police. When ordered off the bus by the officers, who did not board the vehicle, Mr. Raigns submitted calmly to arrest.

Booked, $100 Bond Set

Mr. Raigns was then carried to Second Police Station, booked, and his bail set at $100. Benjamin F. Kersey 3rd, local teacher, saw the incident and notified the Richmond AFRO which in turn advised Dr. J. M. Tinsley of the situation. While Dr. Tinsley, head of the local and State NAACP, sought vainly to secure legal counsel and bail for the man, Mr. Raigns had his uncle, James Battle of 228 E. 14th St., go his bail and he was released. Baltimore, Md.

Represented by Hewin

J. Thomas Hewin Sr., noted local attorney, appeared in court with Mr. Raigns the next morning, but relinquished the case willingly when he learned of the NAACP's interest.

The Rev. R. C. Clark of 519-A N. 30th St., who also appeared in court with Mr. Raigns, Mr. Battle and the AFRO editor, had the bond renewed after the court hearing and Mr. Raigns left on the midday train for Washington.

Mr. Kersey appeared at the hearing as a witness for the defense. Plans are being perfected for an appeal if Mr. Raigns is fined in police court when the trial comes up Tuesday.

Company Lawyer Absent

The continuance was granted by Police Justice Carleton E. Jewett after he noted that the bus company was not represented by an attorney. John J. Wicker Jr., white, is local counsel for the bus company.

According to Mr. Kersey, Mr. Raigns offered to apologize "if I have done anything wrong," but the bus driver said, "No, we are not going to let you go. We are going to take you to court and fine you $68.50 in the morning."

The crux of the situation, Mr. Raigns said, was that all seats were filled except the one he occupied alone and the white woman sought to force him to stand so she could occupy the entire seat, built for two persons.

Jim Crow Ruled Out On Interstate Buses

Star, Washington, D.C.

Supreme Court Decides Virginia's Law Is Unconstitutional

By a 6-to-1 decision, the Supreme Court yesterday ruled as unconstitutional a Virginia law requiring segregation of Negro and white bus passengers when travelling interstate. The decision apparently dooms similar Jim Crow laws in 12 other Southern states.

The ruling was handed down on an appeal taken by Irene Morgan, who was fined $10 by a Virginia court for refusing to sit in the Negro section of a bus during a trip from Virginia to Maryland.

William H. Hastie, newly-appointed Governor of the Virgin Islands, argued Miss Morgan's case. He pleaded that the Virginia law be upset on the grounds that it was at odds with national policy that opposing all racial discrimination.

The majority opinion, handed down by Justice Stanley F. Reed, however, was much more limited. The ruling merely held that segregation interfered with "national travel." Thus the rights of states to require segregation intrastate was not disturbed. Tuesday

Virginia courts, in upholding the statute, had found it was a "recognition of human nature" and necessary to prevent racial clashes.

The decision was based on the need for uniform seating arrangements to facilitate interstate bus travel. Rail travel was not mentioned. 6-4-46

In the majority opinion, Reed pointed out that the Southern States have a Negro problem unknown in the North due to the high percentage of Negroes but nevertheless, he concluded, "no state can reach beyond its own borders."

In the lone dissent, Justice Harold H. Burton said that "the officially declared state interests, even when affecting interstate commerce, should not be laid aside summarily by this court" in the absence of Congressional action.

Jim Crow Signs Remain in Some Virginia Buses

Star

Similar signs remained on buses operating between Washington and Virginia last night, Supreme Court decision and Jim Crows sign notwithstanding.

The Supreme Court ruled Monday that segregation of passengers on interstate bus lines is a burden to the operating bus companies and thereby unconstitutional. In the wake of the ruling, some of the State law signs were removed; others left in place.

The Jim Crow signs requiring seating of Negro and white passengers were removed from all buses of the Alexandria, Barcroft and Washington Transit Co., operating between Alexandria and Washington. A company spokesman reported, however, that Negroes continued to prefer the rear seats.

Ordering removal of the signs from operated by the Washington-Virginia-Maryland Coach Co., better known as the Arnold line. 6-5-46

"I don't know whether the signs will be taken down, but they probably will," declared Sherman Wilson, personnel manager for the Arnold line. Wilson said he believed the Supreme Court decision would make no substantial difference" in bus operation. D.C.

"Our drivers have all been instructed not to enforce the State law in light of the court's decision," Wilson said. "However, they never did before except on specific complaint and such instances were rare." 6-5-46 Wash.

Seeks Clarification

Franklin K. Lane, president of the Arlington-Fairfax Motor Transportation Co., which also serves Washington and Virginia, looks to clarification of the ruling before

Signs Still Posted

High Court Decision Invalidating Va. Bus Jim Crow Law Reviewed

Successful Lawyer Refuses To Hazard Guess On Effect

WASHINGTON— (ANP)— The historic case, Irene Morgan versus the Common wealth of Virginia, which resulted in the supreme court decision outlawing segregation of white and colored passengers on interstate buses last week, was taken to the high court by Spottswoood W. Robinson III.

Commenting on the invalidation of the Virginia jim crow law on the ground that segregation places an unlawful burden on interstate commerce, Robinson said the decision is of great importance, but refused to hazard a guess as to its effect on ther southern states.

Robinson, who had fought the battle for Miss Morgan up through the courts to the nation's highest bench had appealed to the U. S. Supreme court on the constitutionality of the Virginia act after the appellant had been arrested for refusing to comply with the law. The act states that any person who fails to comply may be arrested and fined or may be ejected from the carrier by the driver.

ABSTRACT PRINCIPLE

Mr. Justice Reed, delivering the opinion of the court, had cited the abstract principle upon which the decision was based. He observed that there is an abstract principle which might be taken as a postulate for testing. It is this, he said, "that the state legislation is invalid if it unduly burdens that commerce in matters where uniformity is necessary. Where uniformity is essential for the functioning of commerce, a state may not interpose its local regulation."

Mr. Justice Black, concurring in the decision, asserted "so long as the court remains committed to the 'undue burden on commerce formula' I must make decisions under it." Citing the Nippert, Southern Pacific Company, and Hall versus DeCuir cases, Justice Black concluded:

"The 'undue burden on commerce formula' consequently requires the majority's decision. In view of the court's present disposition to apply that formula, I acquiesce."

Justice Burton dissented, after concluding that "a fundamental concept of our constitution is to bring diverse solutions to problems arising out of diverse situations thru the applications of diversified treatment matching the diversified needs as determined by our local government.

Nonsegregation in Bus Brings Walkout by White Inductees

SUFFOLK, June 10 — (AP) — Twenty-three Nansemond County white youths, headed for Richmond, walked off a Greyhound bus at a Suffolk bus terminal today because, they said, Negroes occupied half of the many available seats.

They were supported by M. P. Spivey, in charge of Suffolk inductees, and Melvin Brinkley, in charge of the county inductees.

Spivey said, "The men left the bus on their own initiative and I joined them, along with Brinkley."

They boarded another bus about three hours later which was not crowded and in which Negroes were seated in the rear.

The Greyhound Lines, as did other bus companies having interstate buses, took down their "segregation" signs immediately after the Supreme Court of the United States ruled, in a Virginia case, that a State cannot require segregation of white and Negro passengers on interstate buses.

Our guest column . . .

A CRACK IN THE WALL

By Dr. Charles S. Johnson, Director, Social Science Institute, Fisk University

Some unfinished business left behind by Judge William Hastie when he went to the Virgin Islands a few weeks ago to become the island's first Negro governor, was cleared with a Virginia state law making mandatory racial segregation on all public vehicles passing through the state. The decision of the Supreme Court was that Miss Morgan should get her $10 back— the state law was unconstiutional.

In recent years, the Supreme Court has shown an increasing disposition to strengthen Federal protection of the rights of the Negro and other minorities under the 14th amendment, which forbids a state to deny to any person within its borders the "equal protection of its laws." However, cases decided under this clause have never called segregation itself seriously into question. The insistence has been upon "substantial equality" up on June 3. The Supreme Court handed down its decision in the Morgan case, which Mr. Hastie had argued before the Court, involving the constitutionality of a state law segregating Negro passengers on vehicles passing through the state. Like so many decisions of far-reaching importance, the announcement came quietly and with the casualness of court routine.

Miss Irene Morgan, a Negro, was fined $10 in the Virginia courts for refusing to move into a "Jim Crow" section when the bus on which she was riding crossed the state line from Maryland into Virginia. The requirement that she move was in accordance of treatment—a futile hope, as demonstrated by the well-nigh universal and persistent policies of discriminatory segregation. The fact that in general Pullman passengers in interstate travel have not been segregated has been due rather to the expense and consequent unwillingness of the roads to provide separate Pullman cars for the small number of Negro Pullman passengers than to any prohibition against segregation. Thus, the Supreme Court's decision in the Morgan case is the first of the Court's decisions to question segregation itself.

Interestingly enough, the decision in this case was not based on the 14th amendment, nor was it based upon any hardship to Negro passengers resulting from the segregation requirement. The law was unconstitutional, the decision declared, because, in the absence of any general Federal regulation on the subject, the lack of uniformity of state laws governing racial association placed an undue burden on interstate commerce. Said Justice Stanley F. Reed in writing the majority opinion, "as no state law can reach beyond its own border nor bar transportation of passengers across boundaries, diverse seating requirements for the races in interstate journeys result (from state efforts at regulation.) It seems clear to us that seating arrangements for the different races in interstate motor travel require a single uniform rule to promote and protect national travel. Consequently we hold the Virginia statute in controversy invalid."

The lone dissenting judge remarked that he could find no "undue burden," since neither the federal government nor any state had complained. Literally, he may have a point, but actually he failed in his interpretation of the role which the Supreme Court increasingly is called upon to assume. This body, at one time thought of as the conservator and protector of legal principles, has found itself often in recent years ahead of custom in many parts of the country, although not ahead of the facts of modern relationships. It has become, even more than the conservator, the interpreter of principles in the light of an active, dynamic democracy, and of sound national policy.

What the Court has done in this case has been to formulate in legal terms relationships that, despite custom and rationalizations of custom, are already happening as a result of impersonal factors. As the number of travelers of all racial groups increases, as trips even across several state lines become shorter in point of time, it has come about that the efforts to enforce individual state segregation requirements has caused more annoyance and discomfort to everybody than arises out of a condition of no enforcement. This has been especially notable as wartime conditions brought so many travelers who were without fixed views on segregation into states with segregation laws.

The immediate result of the decision has been to let loose floods of speculation as to how this decision in the case of motor buses will affect trains and planes. A more problematical question is to what extent INTRA-state segregation on carriers can be maintained in the face of this decision. Who can be sure, on a crowded bus which has crossed from Delaware into Virginia, who got on in Delaware and who is merely going from one place in Virginia to another? Bus and train conductors have enough trouble already without taking case histories of the passengers. Moreover, it will surely not be long before the majority of people who do not regard segregation as a life work will begin to wonder why what is efficient and practicable on an interstate vehicle becomes unthinkable and dangerous to morals and manners on a local bus or train . It must already have occurred to many that passengers go thru no fundamental change in their human nature when they are scrambled and unscrambled at Evansville.

All this is not to say that segregation in transportation will be abolished in the near future. The old customs will drag along because of the insistence of whites and because of the long-established habits of Negroes—as the elephant that has been tethered to a stake will continue to revolve around it long after the chair has been parted. But the tether has been removed, and will hardly be put back. Moreover, another significant step has been taken in humanizing our social laws, even though the Supreme Court saved itself from the "stigma" of social reform by placing its emphasis on the requirements of interstate commerce, rather than the well-being of the people.

Segregation in Dining Cars

Editor of The Times-Dispatch:

Recently I had occasion to trave across Virginia on a train drawn by a mighty Diesel engine, a monument to man's inventive genius. The passengers included a mixture of many races and nationalities. Upon entering the dining car the writer was confronted with a pathetic symbol of blind prejudice —a dark green curtain drawn around one table which was marked "reserved." The reason for this type of reservation becomes evident as men and women of the dark-skinned race move quietly to and from segregated cars to this table.

Here is just one typical example of the evil results of the enslavement of a people; the damage to the enslaver is always greater and more far-reaching than to those whom he enslaves. How much longer will we degrade ourselves in this fashion? Officially, the Negro was freed 81 years ago. When will we, the Southern whites, liberate ourselves?

Supreme Court Fails To Knock Out Jim Crow

The Defender Chicago, Ill.

Sat. 6-15-46

WASHINGTON — As Jim Crow signs were being removed from buses in Virginia, and a few Negro passengers ventured to take front seats, the Supreme Court's ban on segregated bus travel was being studied throughout the U. S. with more care and calmness than when it was announced last week.

The picture in Dixie was varied:

The Richmond Greyhound lines announced immediate compliance with the ruling.

Many Negro passengers continued to take rear seats from "force of habit."

Trains running into the South continued to haul Jim Crow coaches; railroad officials stated they felt the ruling did not apply to them.

The Supreme Court was being praised for its "telling blow in the fight for equality of Negroes."

The high court was also being condemned for its decision since it was not made on the basic issue of racial discrimination.

Lower Court Reversed

The 6 to 1 decision handed down by the court was in favor of Mrs. Irene Morgan of Baltimore who was fined $10 because she refused to move into the "colored" section of a bus in Virginia.

She appealed to the Supreme Court where her case was argued by William H. Hastie prior to his recent installation as governor of the Virgin Islands. Six justices ruled the Virginia law requiring separation of white and colored bus passengers was invalid because it was a burden on interstate commerce and sought national uniformity on the subject.

In a dissenting opinion, Justice Burton said it was not claimed the Virginia law violates the 14th amendment or a Federal law. He pointed out that "the undue burden upon interstate commerce thus relied upon by the court is not complained of by the Federal Government, by any state or any carrier."

Remove Bus Signs

The day after the decision was announced signs informing colored persons to seat themselves in the rear and whites from the front were removed from buses of the Barcroft & Washington Transit company, R. T. Mitchell, vice president, announced.

The Atlantic Greyhound Corp., which operates in most of the southern states, also stated it would comply, and officials of the Arnold-operated lines and the Arlington & Fairfax Motor Transportation company said they would abide by the Supreme Court decision.

One driver in Richmond reported that he had noticed at least one bus roll into a local station with colored and white passengers interspersed from front to back.

Dixie To Fight Ruling

But although the Jim Crow signs were gone, most colored travelers continued to take rear seats on buses of the A.B. & W. line, passengers reported. A spokesman for Virginia Trailways said that he had noticed an increase in the last couple of days in the number of colored persons attempting to sit in the white waiting room in Richmond, but that they had moved to the colored waiting room when requested. The Defender

Elsewhere in the South, it was apparent that segregated bus travel would continue.

"I can tell you that Louisiana's laws on segregation in buses in intrastate transportation will continue to be enforced," declared Clayton Coleman, acting secretary of the Louisiana Public Service commission. He added that the ruling on interstate buses, those affected by the Supreme Court decision, would have to be made by the Interstate Commerce Commission. Chicago, Ill.

North Carolina Complies

Labeling the outlaw of segregated travel "regrettable," North Carolina's utilities commissioner, Stanley Winborne, last Monday said that he was of the opinion that all interstate buses operating in North Carolina would have to halt the practice of Jim Crowing Negro passengers. Sat. 6-15-46

However, it was in Mississippi, Alabama and Georgia that the bitterest attacks on the high court's ruling were launched. Said Thomas Bailey, governor of Mississippi: "Segregation will continue down here. Neither the whites nor the Negroes want it any other way."

Asserting that the ruling served as "fertilizer for the Ku Klux Klan," Alabama's Governor Chauncey Sparks stated, "The decision interferes with the rights of states to conduct their internal affairs."

Georgia's gubernatorial campaign flared up anew as Gene Talmadge, red-suspendered race baiter, lashed at the court's decision into his "white supremacy" speeches. Speaking at Cartersville, Ga., ex-Governor Talmadge announced a plan to set up ticket stations just 50 feet inside of the Georgia line. Passengers would be required to get out and buy new tickets to cross the state.

Railroads Keep Jim Crow

Officials of railroads operating through Richmond were of the opinion that train travel would not be affected. "We're selling tickets here just as we've been doing for 30 years," reported C. L. Toney, division passenger agent for the Southern Railway.

The Seaboard Air Line railroad in Norfolk and the Fredericksburg and Potomac railroad revealed that attorneys are studying the decision and that there would be no change at present in the company's policy of separate accommodations for Negroes.

Legal opinion here in Washington was divided. One Negro legal expert hailed the 6 to 1 ruling as "the most important decision since the Texas Primary case. The decision went head on into problems much like those in the Mitchell case."

Decision Hailed, Condemned

On the other hand, one outstanding jurist expressed the belief that since the court has ruled that states do not have the right to regulate commerce, therefore, they have no more right to enforce integration than they have to enforce segregation.

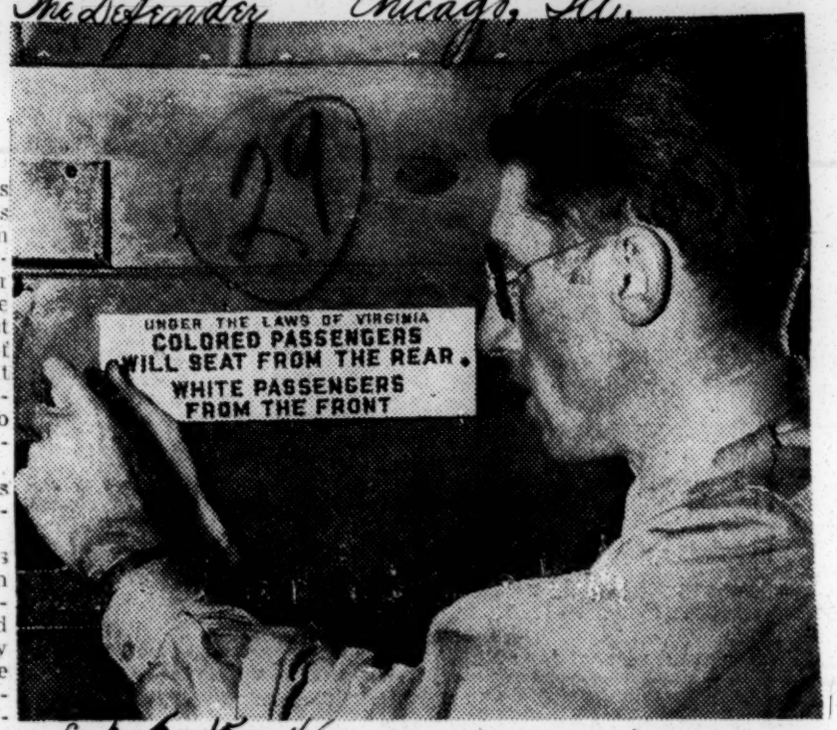
Meantime, observers are noting with interest the effect of the decision in 10 states which require racial separation on motor carriers. They are Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Texas and Oklahoma.

Ironically, the Supreme Court's reversal of the lower Virginia court's decision, marked the first defeat for Attorney General A. P. Staples who opposed the topflight lawyers Thurgood Marshall and Gov. Hastie.

In 10 previous appearances here, Staples had been on the winning side.

JIM CROW DIES ON VIRGINIA BUS

The Defender Chicago, Ill.



Sat. 6-15-46

Complying with the ruling of the United States Supreme Court, the driver of a bus operating between Washington, D.C., and nearby Virginia suburbs removes the sign dictating Jim Crow seating of passengers. The high court ruled 6 to 1 that segregation in interstate buses is unconstitutional.

Suit Scheduled In Jim Crow Case Here

Times-Dispatch
Richmond, Va.
Wed. 7-3-46

A Washington Negro, an employee of the Federal government, whose "Jim Crow" case was dismissed in Police Court on June 10, filed a notice of motion in Law and Equity Court here yesterday that he will make a motion on September 16 for a judgment for $10,000 against a bus company and the justice of the peace who issued the warrant against him.

The plaintiff, John H. Raigns, named Justice of the Peace James O. Kirk and the Carolina Coach Company of Virginia as defendants.

Raigns said he was a passenger in one of the company's buses last May 20 and was en route from North Carolina to Washington. As the bus was leaving Richmond, via Chamberlayne Ave., some of the passengers "unlawfully requested" him to move to the rear of the vehicle. He said there were no vacant seats in the rear of the bus and that he was not "cognizant" of a company rule, a law of the State of Virginia, or a city ordinance requiring him to move, so he kept his seat.

Subsequently, he was arrested on a warrant issued by Justice of the Peace Kirk, he said, and in the warrant he was charged with refusing to move to the rear of the bus when ordered to do so by the driver, C. L. Jordan, Raigns said. He added that he was kept in jail until the following day.

Route New Jim Crow Case Toward U.S. Supreme Court

The Defender
Chicago, Ill.
Sat. 10-19-46

RICHMOND, Va.—(NNPA)—Another case involving Jim Crow seating in buses is headed for the U.S. Supreme Court.

An appeal will first be made to the Virginia Supreme Court of Appeals to reverse the decision of the Law and Equity Court here which refused $10,000 damages to Mrs. Ethel New, injured at Lynchburg when forcibly ejected from a bus in which she refused to move to the rear. Mrs. New suffered a miscarriage.

Since her ticket was from one point in Virginia, Blackstone, to another, Appalachia, the case is not affected by the recent U.S. Supreme Court decision outlawing Jim Crow seating in interstate commerce.

But attorneys for Mrs. New in her case against the Atlantic Greyhound Lines and W. N. Smith, a lynchburg policeman, said if the Virginia court upholds the Equity court, which is likely, a second appeal to the U.S. Supreme Court will be made.

Woman Arrested for Refusing Back Seat

The Tribune
Los Angeles, Calif.
Sat. 9-21-46

Virginia's efforts to get around the United States Supreme Court decision of last June prohibiting race segregation of passengers on interstate carriers, were demonstrated last week when Mrs. L. E. Taylor, 31, of New York, was arrested in Fairfax on a disorderly charge after she failed to move to the rear of a bus in which she was riding from Washington to Virginia.

Mrs. Taylor was released under $25.25 collateral pending a hearing before Trial Judge Harry Carrico on September 20.

Judge Carrico issued a warrant for her arrest on the basis of a 1946 act of the Virginia General Assembly which defines refusal by a bus passenger to move his seat when ordered by the operator as disorderly conduct, though no racial specifications are contained in the new State law.

Ignores Three Orders

James Garrett, driver of the Virginia Stage Line bus, swore that he asked Mrs. Taylor here in Washington when she took a seat in the middle section of the bus to move to the rear.

He said that he asked her again when the bus crossed the Potomac, and a third time at Fairfax. She refused all three times he said. According to Garrett, "she was disorderly in "refusing to take a seat assigned her by the driver, as required of passengers by company regulations."

When the warrant was issued, two policemen went to the bus and arrested Mrs. Taylor. She was forced to deposit the collateral to gain freedom.

Reserved Seat. Ruse Uncovered

The Afro-American
Baltimore, Md.
Sat. 11-2-46

Air-Conditioned Cars Held for Whites Only

UNDERLINGS BLAMED

Public Retains Faith in RR Chief's Pledge

By NAT TURNER

RICHMOND — While leaders urge passengers to use the Richmond Fredericksburg and Potomac Railroad because it is "free of jim crow," trainmen on the line are doing all in their power to keep segregation alive, it was revealed last week.

These men, aided by ticket clerks, have a scheme which is largely effective in keeping passengers separated in coaches, especially in luxury cars and on trains coming South boarded by passengers in Washington.

My experience on a trip to Baltimore and return last Friday via the R.R. and P., on Atlantic Coast Line train No. 92 (leaving Broad Street Station at 7:25 a.m.), will, I think, outline very clearly how the system works.

Reservation Refused

Purchasing my ticket and requesting a reservation on the train, I was told by the ticket clerk that he had been allowed only two.

"They were just taken by two other boys; sorry, but I guess I'll have to let the passenger representative at the track assign you," the agent explained.

Clerk Outsmarted

I passed on as though I had swallowed the hoax, but returned and got in line with a group of white passegers. Just ahead of me was a white woman who, like all other white passengers, was given reservations without having to ask for them.

She was told by the ticket clerk that she would not have to change trains, since he was giving her a seat "in a car that goes through." I then thrust my ticket through the window without a word.

Recognizing me, he clerk said: "Yes, I think I can fix you up now. You were here before, weren't you?"

That Terrible "Car 36"

I answered in the affirmative and he gave me a servation slip calling for a seat in Car 36. When I reached the air-conditioned train and asked for Car 36, I was told it was "up on the front end."

"Car 36" was a cubby hole in the end of a baggage car, packed to the doors with perspiring humanity. The heat and smell of flesh slapped me in the face as I reached the outer portal. I backed off the train and found the conductor.

When I told him there were no seats in that car, that it was hot and not in accordance with advertisements about the train or my reservation, the conductor replied: "It's all we have; only standing room. I am sorry about that."

Cites President's Promise

I reminded the conductor that Norman Call, president of the R.F. and P. railroad, had assured me there would be no segregation of passengers on that line, and that I was not inclined to submit to jim crow on my trip.

"Either I get a seat in an air-conditioned car or you have a suit on your hands," I said.

Stationmaster Acts

He then went to the stationmaster and told him that "a man is raising hell down here because there are no seats. What will we do about it?"

"There's only one thing to do, give him a seat," the higher official repiled. He then told me, "I will take care of you."

The passenger representative of the Atlantic Coast Line was then sent into Car 37. He returned, stating that he had moved the "white passengers to the rear end of the car."

"All right," the conductor told me," you can take a seat in the front part of that car now."

Others Given Relief

I asked that he not only provide a seat for me, but also call those other colored persons crowded like cattle in that hot, stuffy car to take seats in the air-conditioned coach.

"All right, we'll get them," he said, and made good on his promise.

The writer and a soldier-companion seated themselves behind some white passengers, about four seats from the rear end of the car. Soon, colored passengers who had been forced to stumble over each other began to enter the cool, comfortable coach.

D.C. Effort Fails, Too

The writer employed similar tactics Friday night in Washington after the porter and conductor sought to jim-crow him there.

Their actions were reported to the stationmaster first, then followed by others. I took a seat in the "white" part of the car.

The situation in D.C. arose when two extra cars were attached to Train No. 75 to accommodate the overflow crowd. Trainmen sought to force colored passengers into the small smoker, leaving one whole car and most of the other to white passengers.

Whites Sit Anywhere

Ironically enough even the white passengers seated themselves indiscriminately, even though trainmen forced them to enter through separate doors. They chose seats without regard to who was sitting ahead of them or behind them.

No complaints were made and no orders given by trainmen after the passengers boarded the train in either instance. Going up, the conductor, when taking up tickets, did ask the writer, "Are you all right now." "Yes," I replied.

Most persons here express the belief that the attempt to keep alive the segregation pattern is he work of underlings. They feel that it is inconceivable that a man of Mr. Call's stature would make an insincere statement.

Greyhound Bus Co. Continues Jim Crow

The Black-Dispatch
Oklahoma City, Okla.
Sat. 9-14-46

FREDERICKSBURG, Va., — (ANP) — Several instances in intimidation of Negroes to segregated rear sections of Greyhound buses have been reported here within the past few weeks. In one instance, local police were called when Negro passengers refused to leave their seats. Finally these persons changed "to void trouble" this source disclosed.

In another case, the driver attempted to force a Negro passenger, who was seated beside a white woman, to change his seat for accommodating a white passenger. The Negro passenger refused to change. Police were called but failed to appear. So the driver left the station with the same seating.

Unauthorized sources reported letters sent to all drivers of this company from the president, requesting that they ask all passengers to sit in the back. However, they were instructed to 'refrain from any rough play or display attracting unusual attention.

Attempts are being made to secure a copy of this letter.

Woman Bus Passenger Victim Of Jim Crow Law

The Informer
Houston, Texas.
Sat. 10-5-46

Since the supreme court decision outlawing jim crow travel on interstate buses, Virginia bus drivers have been instructed to have Negroes arrested on the state disorderly law statute when they refuse to move as requested when in intra-state travel. It appears that this new angle has been decided upon to defeat the U.S. Supreme court decision, for any passenger

Carrico to pay a $5 fine, and sent her bond at $100 for an appeal to the Fairfax County Circuit court.

Mrs. Taylor, who was en route to Madison, Va., boarded the bus to theat Washington, Va. James M. Garove to the Virginia Stage Line bus- rett, Charlottesville bus driver at Fairfax, testified that Mrs. Taylor refused to move to the rear of the bus when ordered to do so by Louise F. He then obtained a warrant for Law on September 20 when she was convicted of disorderly con-

RICHMOND, Va., — (ANP) — Another Negro woman bus passenger in Virginia became the victim of the state's jim crow travel law on September 20 when she was convicted of disorderly conduct for refusing to move rear of a Virginia Stage Line bus in trial justice court at Fairfax, Va. The passenger, Mrs. Louise W. Taylor, of New York City, was ordered by Trial Justice

can be charged with disorderly conduct if he refuses to move when requested to do so by the bus driver.

Benefits of Morgan Case Not Enjoyed by Public

The Afro-American Baltimore, Md.
Sat. 7-6-46

RICHMOND — Full benefits of the Supreme Court's decision in the Irene Morgan case will not become apparent until hundreds of thousands of non-white persons have rid themselves of the habit of standing back for white persons.

That habit, and the instinctive tendency on the part of other thousands to make a mad dash for seats in the rear, may do more to nullify the benefits of this decision than anything else.

This reporter has watched the loading and unloading of some 50 buses in local stations, including both the Trailways and Greyhound Lines.

Non-white persons, seemingly, are unable to break themselves away from the practice of standing back and going to the rear.

Whites Fill Front Seats

This is true in all except extremely rare instances. Standing on the station platforms, non-whites almost invariable make it a rule to stand back and permit whites to board the buses first.

They fill up the front seats, also instinctively, so only the rear seats are left.

On some occasions, the reporter has noted, mixed crowds occupy the platforms, but even in these instances, practically all of the colored passengers, once in the bus, make a bee line for the rear.

Drivers Show Bias

In most cases, they take the second or third seat from the back of the bus.

In some cases, the drivers pay no attention, but in others, they refuse to permit other white passengers to board, some of them leaving the stations with the long seat in the rear empty.

In rare instances, a white or mixed group occupies the long seat in the rear or those adjacent to it.

Buses From Dixie J. C.

Of the buses checked, not once has this reporter noted a bus from south of Richmond pulling in with a mixed cargo, although many come in from the North that way. Reason for this phenomenon has not been ascertained.

Persons questioned on the subject have attributed this to either the fact that most persons from the North are accustomed to indiscriminate loading and seating, and hence press for it, or to the fear of Southerners of being insulted by drivers or passengers.

Proof that there are a large number of white Southerners who will have to learn to accept the new situation is given in the fact

Greyhound Company Continues Jim Crow

Daily Worker, Atlanta, Ga.
Sat. 7-6-46

FREDERICKSBURG, Va.—(ANP) — several instances of intimidation of Negroes to segregated rear sections of Greyhound buses have been reported here within the past few weeks. In one instance, local police were called when Negro passengers refused to leave their seats Finally these persons changed "to avoid trouble," this source disclosed.

In another case, the driver attempted to force a Negro passenger who was seated beside a white woman, to change his seat for accommodating a white passenger. The Negro passenger refused to change. Police were called but failed to appear. So the driver left the station with the same seating.

Unauthorized sources report letters sent to all drivers of this company from the president, requesting that they ask all colored passengers to sit in the back. However, they were instructed to 'refrain from any rough play or display attracting unusual attention.'

Attempts are being made to secure a copy of this letter.

No Punishment For Inductees Who Left Army Bus

The Defender Chicago, Ill. Sat. 7-13-46

NEW YORK — No disciplinary action will be taken against 23 white inductees who refused to ride on an unsegregated bus in Suffolk, Va., recently, Gen. Carleton S. Dargusch, deputy director of Selective Service, told NAACP officials last week.

The General's reply, made in answer to a NAACP demand that disciplinary action be taken against the men, stated that since they were still civilians and not subject to military law, no action could be taken. Technically, no inductee is liable to military law until after he has been read the articles of war.

General Dargusch further stated, "This headquarters is informed that after the registrants refused to ride in the bus on which their departure was scheduled, they were returned to the local board office where the clerk of the board informed them that the Selective Service System was not concerned with their reasons for failure to ride on that bus, but that if they failed to report for pre-induction physical examination as ordered, it would result in their being liable for prosecution, for delinquency under the Selective Training and Service Act. It was further reported that having been so informed, the group of registrants boarded the next regularly scheduled bus for Richmond as ordered."

JAIL NEGRO WOMAN BECAUSE SHE WOULDN'T TAKE JIM CROW SEAT

The Plaindealer Kansas City, Kansas
Fri. 9-20-46

Fairfax, Va. (NNPA)—Southern bus companies are seeking to evade the decision of the United States Supreme Court in the Irene Morgan case declaring invalid a Virginia statute requiring the segregation of white and colored passengers traveling interstate in buses.

This discovery was made last Thursday when Mrs. L. E. Taylor, 31, a housewife, 525 W. 151st street, New York City, was taken off a bus here and charged with disorderly conduct for refusing to obey the order of James M. Garrett, the driver, to move to the rear of a Virginia Stage Lines bus.

Mrs. Taylor boarded the bus in Washington. She was enroute to Brightwood, near Culpepper, Virginia.

Garrett first ordered her to move while the bus was in Washington. She refused. After the bus crossed the District line into Virginia, he stopped the bus and told her she would have to move. Asked why, he replied "it's company regulation." She again refused.

When the bus reached Fairfax, he told her she would either have to sit where he ordered her to sit or get off the bus. When she again refused to move, he obtained a warrant for her arrest. He told police that she was disorderly on the bus in that she refused to sit where he told her to.

Mrs. Taylor went willingly with the police. One of them carried her bag. At the police station she posted $25.25 collateral. If she does not elect to forfeit her collateral, a trial will be held in the Fairfax Trial Justice Court September 20.

With Mrs. Taylor at the time of the incident was a good looking 24-year old woman, Miss Sharlene Weaver, 1211 Madison avenue, Baltimore, Maryland. The two women were sitting about in the middle of the bus. Both were ordered to move. Miss Weaver got up and stood in the aisle but did not take a seat in the rear of the bus. She was not arrested, but got off the bus and accompanied Mrs. Taylor to the police station in Fairfax.

In the Morgan case the issue was the constitutionality of the Virginia statute which required all passenger motor vehicle carriers, both interstate and intrastate, to segregate white and colored passengers in their motor buses so that contigous seats would not be occupied by persons of different races at the same time. The statute was held unconstitutional.

Garrett based his complaint against Mrs. Taylor on the company rule and not the invalid Virginia Jim Crow law. The Virginia Stage Lines, a part of the Trailways System, apparently is reserving the right to seat its passengers.

According to Mrs. Taylor, Garrett did not give everybody a seat. She quoted him as having said in Washington that colored people would have to sit where he told them. When he obtained the warrant, he claimed he had seated everybody on the bus.

The Richmond Greyhound Bus company, it was learned, is numbering its tickets. Each number corresponds with a seat on the bus. Tickets sold to colored people call for seats in the rear of the bus only.

In the Morgan case the Supreme Court considered the statutory requirement that passengers must sit in designated seats and concluded that the enforcement of the provision for reseating to meet the requirements of the changing passenger group on an interstate trip would be disturbing and a burden on commerce might arise from such shifting of seats. 9-20-46

The question of whether bus companies may do on their own initiative what the Supreme Court said the states may not require them to do may be started on its way to that tribunal for an answer if Mrs. Taylor should elect not to forfeit collateral in her case.

White Supremacy Reigns on Bus Despite New Law

The Afro-American Baltimore, Md.
Sat. 7-6-46

PHILADELPHIA

White supremacy reared its ugly head again ,last week, in disregard for the U.S. Supreme Court decision that there will be no separation of races on interstate bus lines.

The principal in this recent case was an unidentified Trailway bus operator No. 164, and the victim was Jackson A. Loving, of 5109 J St., N.E., a Marine dischargee.

Mr. Loving, along with Horace N. Smith of 1706 N. Fulton Ave., Baltimore, and William E. Kinney, of 8121 Holstein Ave. of Philadelphia, all three still in uniform, was en route home from Richmond, Va.

Driver Disregards Law

Ten miles out of Richmond, according to Mr. Loving, the bus stopped to discharge a white passenger sitting on the front seat. When he walked up and sat down the driver exclaimed, "You can't sit down here, boy."

Mr. Loving, not sure that this discriminatory policy had been abolished, arose and returned to the rear of the bus where he remained standing until just a few miles short of Fredericksburg, Va. Upon discharging more passengers

ice, he was employed at
nal Archives.

Greyhound Has Lily-White Limited, Express Buses

The Afro-American Baltimore, Md.
7-6-46

ND. — Operation of local bus station. Asked whether "Limited" busses, the management knew what was and "Limited" busses being done, one of the drivers said he had "orders" to do what rivers are permitting he was doing.

ssengers only to board, **Couldn't Have Reservations**

vest insult being thrown The information was sought es of non-white passen- after the writer heard the driver buses are supposed to ly he had held off all would-be ervations," but as soon passengers waiting for four who e passengers with these held reservations. are aboard, other There were approximately 12 o have no reservations, vacant seats on the bus then and tted to get aboard. after the four passengers, all iter learned how the white, with reservations were a- ked by watching bus board, other whites were permitted to fill the other vacant

seats. Colored passengers simply stood and appeared stunned.

"Catch Next Bus," They Say

The drivers of the "express" buses, it was noted, keep them lily-white simply by advising colored passengers to "catch the next bus." They, unlike drivers of the "limited" buses, say nothing about reservations. A man and his wife with tickets to New York were so advised.

Most of these express buses, for some unexplained reason, bear no destination signs and persons attempting to board them, unless they pay careful attention to announcements over the public address system, must depend upon the drivers for information.

This same rule applies also to the limited buses. Vehicles in both categories are air-conditioned in most instances and are faster than the regular buses, since they do not make the local stops except in cases of emergency.

Virginia (Arrests and Suits after U. S. Decision)

White Draftees Wait 4 Hours Trying to Dodge Bus Decision

The Afro-American Baltimore, Md.
Sat. 6-22-46

SUFFOLK, Va.—In a futile effort to get around the Supreme Court ban on bus segregation, 23 white Nansemond County draftees en route to the induction center, refused to board buses here Thursday because colored passengers were not ordered to take rear seats. Leaders of the draftees supported their action.

The leader, M.P. Spivey, said, "We are waiting for the next bus, but if we have to sit with colored people, we will keep on waiting." Two more buses arrived with passengers seated in line with the decision. Finally, four hours later, one pulled up with colored passengers seated on the rear seat.

The disgruntled draftees climbed aboard, scowled at their fellow passengers and took seats at the front. It was not learned whether the Army took any disciplinary action against the men for arriving late.

VIRGINIA BUS JIM CROW CASE FURTHER APPEALED

World Memphis, Tenn.
Tues. 10-15-46

RICHMOND, Va. — (NNPA) — An order sustaining the verdict of a jury in a racial segregation case was signed last Tuesday by Judge Willis D. Miller, of Law and Equity Court, and notice was given that the decision will be taken before the Virginia Supreme Court of Appeals.

The case was that of Mrs. Ethel New, of Kentucky, against the Atlantic Greyhound (bus) Lines and W. N. Smith, a Lynchburg policeman.

Last June, a jury refused to award the plaintiff a judgment in her $10,000 suit against the defendants.

Mrs. New said she bought a bus ticket entitling her to transportation from Blackstone to Appalachia in contemplation of a trip into Kentucky. At Lynchburg, the bus driver ordered her to move to the rear of the vehicle and she refused to comply, she said.

FORCIBLY EJECTED

Then, according to the plaintiff, the driver summoned Officer Smith, who forcibly ejected her from the bus, injuring her and causing her to have a miscarriage about a week later. Mrs. New said she was put off the bus on June 10, 1944.

When the jury returned its verdict in favor of the defendants, a motion was made to set it aside. Judge Miller did not rule on the motion until last Tuesday.

Last June, the United States Supreme Court reversed a Virginia decision and declared that a state cannot legally segregate passengers in buses which cross State lines. In the New case, this question is not a major factor because the plaintiff had bought a ticket, according to her statement, from one Virginia point to another place in the State.

Nonsegregation in Bus Brings Walkout by White Inductees

SUFFOLK, June 10 — (AP) — Twenty-three Nansemond County white youths, headed for Richmond, walked off a Greyhound bus at a Suffolk bus terminal today because, they said, Negroes occupied half of the many available seats.

They were supported by M. P. Spivey, in charge of Suffolk inductees, and Melvin Brinkley, in charge of the county inductees, who joined the men in walking off the bus, bound from Norfolk to Washington via Richmond.

Spivey said, "The men left the bus on their own initiative and I joined them, along with Brinkley."

They boarded another bus about three hours later which was not crowded and in which Negroes were seated in the rear.

The Greyhound Lines, as did other bus companies having interstate buses, took down their "segregation" signs immediately after the Supreme Court of the United States ruled, in a Virginia case, that a State cannot require segregation of white and Negro passengers on interstate buses.

Nonsegregation Upheld Here

A charge against a Washington Negro of refusing to move to the rear of a bus when the driver ordered him to do so was dismissed in Police Court yesterday by Justice Carleton E. Jewett.

The defendant was John Raigns, 44, an employee of the Federal government, and the complaining witness was C. L. Jordan, driver of a Washington-bound Carolina Trailways bus. The warrant said Raigns was disorderly because he refused to move to the rear of the bus on May 20—when the driver asked him to do so.

No mention was made of the United States Supreme Court's recent decision in which it held that Virginia's "Jim Crow" law was invalid in its application to busses in interstate commerce.

Justice Jewett heard the case againset Raigns on May 21, but continued it until yesterday on his own motion.

Lights and Shadows

The Afro-American Baltimore, Md.
by Dwight Holmes

Following the recent anti-jim crow decision of the Supreme Court, a group of young draftees displayed a most dangerous symptom of spiritual decay in Americanism.

A Russian reading the account probably had a belly laugh when he learned that these white lads with their officers preferred to miss their bus than to witness others exercising their newly granted rights to sit where they those. Sat. 6-22-46

Yes, the Russian would laugh because our American leaders keep needling the Russians about withholding freedom from somebody. But this exhibition should not be funny to any American.

Future Depends on Them

For here were men probably boasting of their Americanism, who were so steeped in the gall of prejudice that they could not endure the sight of fellow-citizens rising a little above their former status.

This is tragic because the future of America lies in the hands of these young men and others like them. Let it be hoped that this small group is not typical of the nation or even of the South.

It has been heartening to realize that the South is becoming less reactionary. Politicians, whose only stock in trade is the color bug-a-boo, are being eliminated. Court decisions have helped in these reforms, but the important thing is that the decisons have, for the most part, been gracefully accepted although in some cases with reluctance.

Now comes this latest decision of our highest court which we all hope will be accepted as a sign of progress. And we believe that it will be. For there is no natural animosity between the two races in the South.

A Caste System

The trouble is that the jim crow laws have symbolized a caste system so dear to small people who accidentally find themselves on the favorable side of the line. The Southern white people have always mixed freely with others in many relationships so long as the colored people understood the line of demarcation.

Enlightened white Southerners are gradually realizing that the structure of Southern society does not depend upon keeping our people in the back of a bus or out of a Pullman car. If it does, it must be a very flimsy structure and should be torn down.

The fact is that not one white traveler in fifty cares whether a colored person eats in a dining car or not. It is the fiftieth person who is afraid of his superiority and hence, calls upon the conductor and the law to uphold it.

Safest Road

Now that the law is gone, it is to be hoped the thoughtful people of the South will help the thoughtless people to accept the situation just as they accept it when they travel in more advanced parts of the country.

Let America be warned that prejudice is one of the outstanding characteristics of Fascism. If we desire a fascist America, continued jim crow is the safest road.

29 1946 Virginia (Arrests and Suits after U. S. decision)

ANOTHER NEGRO IS FINED IN SOUTHERN COURT FOR REFUSING TO MOVE TO REAR OF CARRIER

The Black Dispatch
Oklahoma City, Okla.
Sat. 12-7-46

State Claims Bus Operators Have Right to Make Own Seating Arrangements

WILL FIGHT CASE TO HIGH COURT

RICHMOND, Va.—(NNPA) — Although the United States Supreme Court has declared invalid state jim crow laws requiring the seating of colored passengers in the rear of buses in interstate travel, bus companies operating in the South continues to attempt to enforce such race segregation through company regulations with the aid of state courts.

The latest incident involved Samuel W. Tucker, of Emporia, Va., Army major, who was found guilty a 33-year-old lawyer and former in police court here Nov. 19 for creating a disturbance on a bus by refusing to move to another seat when ordered to do so by the bus operator.

His conviction was based on a provision in the Virginia Code which makes it a misdemeanor for any person to cause any unnecessary disturbance in a public conveyance by failing to move to another seat when lawfully requested to do so by the operator.

Justice Carleton E. Jewett imposed the minimum fine of $5, and Mr. Tucker was released on $100 bond when he noted an appeal.

Mr. Tucker, a veteran of five years' service as an Army officer, boarded a Trailways motor bus in Washington on a trip to Emporia. He took a seat fourth from the front and seventh from the back and rode in that position from Washington to Richmond. At the Richmond terminal, some passengers got off but more got on and white persons occupied all the seats in front of him and the seat just behind him.

Roy B. Blaylock, of Cary, N. C., the bus driver, asked Tucker to move two seats to the rear, directing attention to company regulations which state that colored passengers shall occupy seats from the rear and white passengers from the front.

When Mr. Tucker declined to move, Blaylock left the bus, returning later with a policeman and a warrant. Tucker again was asked to move. When he again refused to do so, he was arrested.

The warrant charged that Mr. Tucker on Oct. 28 violated Virginia law by causing "an unnecessary disturbance in a public conveyance, to wit, a Trailways motor bus, by failing to move to another seat when lawfully requested to so move by the operator."

John J. Wicker jr., who acted as special prosecutor at the request of the Commonwealth's Attorney, told the court in his opening statement that signs are prominently displayed by the bus company in the Washington terminal and on the vehibles stating that the company reserves the right to change seating arrangements and also stating that white passengers should occupy space nearest the front and colored passengers nearest the rear.

Testifying for the prosecution, Baylock said Tucker delayed departure of the trip from Richmond for fifty-five minutes. On cross-examination, he said there was no loud talking or other evidence of disorder except the passenger's refusal to move.

Defense Attorney Martin A. Martin commented that actually it was the operator, not the passenger, who held up the trip and that the operator could have driven off "in any one of those fifty-five minutes" had he so desired.

Policeman W. G. Whitlock was asked in cross-examination if there was any disturbance or disorder on the bus as a result of Tucker's refusal to remove.

"None in the world," he replied.

Defense Attorneys Martin and Oliver W. Hill took the position that it is "unreasonable and unconstitutional" to use the Virginia Code in enforcing segregation. They told the court that quiet refusal of a passenger to move from one seat to another does not constitute creating a disturbance.

First Southern Railroad Drops Interstate Travel Jim Crow

The Afro-American Sat. 7-27-46

RICHMOND—"The agents and representatives of this company will not undertake to enforce separation (by race) as to interstate passengers." Norman Call, president of the Richmond, Fredericksburg and Potomac Railroad Co., informed the AFRO last week. Baltimore, Md.

"In view of the obligation of the company to comply with State law as undisturbed," Mr. Call wrote, "Our trains will be provided with separate coaches or coaches with separate compartments with equal accommodation for white and colored passengers who may desire to sit with their own race."

Cites Morgan Case

With respect to the U.S. Supreme Court decision in the Morgan case, he said:

"The recent decision of the Supreme Court of the U.S. rendered in a case arising from the attempted application of the segregation law to motor vehicles held that the Virginia statute was not valid as applied to interstate passengers.

The Afro-American

"While the court did not have before it the segregation statutes relating to railroads, the principle relied upon would seem to apply as well to railroads as carriers of passengers as to motor vehicles on the highways.

"Therefore, we have no alternative except to enforce the law of the Commonwealth of Virginia as undisturbed by the Supreme Court with respect to intrastate passengers unless and until there be a different decision or regulation which may be enforced."

Letters Conflicting

Noting the difference in tenor of a letter to Mr. Call from his general superintendent, copy of which was attached to Mr. Call's letter to the AFRO, newsmen called the railroad president and asked for a clarification of the conflicting views. Baltimore, Md.

In this conversation, Mr. Call assured reporters that instructions in accordance with terms laid down in his letter had been forwarded to the superintendent and that they will be carried out in conformity with my letter to you."

After pointing out that road officials had experienced difficulty in the past in accommodating its Richmond travel, some would-be passengers, "both white and colored," having been left and that an additional "air-conditioned" coach had been added, the superintendent wrote the president:

He Held to J.C. Policy

"Coach would be attached to train No. 92, leaving Richmond at 7:25 a.m., to accommodate Richmond travel, both white and colored, with instructions to load white passengers in one end and colored passengers in the other.

"When passengers were loaded they were advised that car would not go north of Washington. At Washington this coach is cut off and all passengers have the right to use the through coaches from Washington if seats are available at that point." Sat. 7-27-46

The scheme through which nonwhite passengers have been kept off the train south of Richmond was uncovered last week when a reporter sought to make reservations on the crack liner from Richmond to Baltimore. This action is laid at the door of the Atlantic Coast Line.

No Phone Reservations

When reservations were sought, the reporter was informed that he would have to make them after arriving at the station; that Pullman or parlor car reservations only could be made over telephone, but that they would not be promised definitely until his arrival in the station.

The biased action is laid at the door of the Coast Line as a result of an investigation which reveals that white passengers only have been able to procure reservations in that train in cities south of Richmond. As a result, it arrives here lily-white.

In view of this obvious discrimination on the part of this line, colored passengers south of Richmond are being urged to apply for reservations on the Coast Line's train No. 92 and to report instances in which such accommodations are refused.

The segregation law has not been enforced for some time in coaches routed over the R. F. and P. which would disturb passengers enroute from the North to points in the South. This rule, however, is not generally applied south of Richmond.

Mr. Wicker told the court that in the widely publicized Irene Morgan case, the United States Supreme Court ruled that public carriers are not bound by State laws on segregation, but that it also ruled that the carriers can make their own rules and regulations governing their operation and concerning matters affecting the comfort and convenience of their passengers. He said an operator has a right to require a passenger to move in the interest of such comfort and convenience. He said the Tucker case and the Irene Morgan case were "completely different."

The defense declared that the cases were identical in circumstances; that both involved interstate commerce and that Tucker had a right to occupy all the way to Emporia the seat he took in Washington.

The Tucker case is one of several in which colored persons have been convicted in Virginia courts of creating a disturbance on an interstate bus by refusing to move to a rear seat and in which appeals are now pending.

hTe State law governing disturbances has been in effect for some years. It did not apply, however, to buses until this year, when the 1' ' General Assembly so amended it.

The defense attorneys in the Tucker case said they would fight it all the way to the United States Supreme Court, if necessary.

By RALPH MATHEWS

WASHINGTON

A duplicate of the AFRO's anti-jim crow suit against the railroad is in the making against the Virginia Trailways Company which stubbornly refuses to recognize a directive of the United States Supreme Court.

The high tribunal has already ruled that jim-crowing of interstate passengers on busses is illegal, but the Virginia Trailways Company refuses to obey the law.

Bruce Butler, a Washingtonian living at 2001 Claggett Pl., N.E., was jailed Saturday in Fairfax, Va., when a bus driver called a cop and had him arrested.

The Virginia officer allegedly threatened to use his club on Butler and carried him to the courthouse where a magistrate made him post $10 collateral.

The charge was not violating the State's jim-crow law, but refusing to obey a company ruling which gives drivers the right to designate where passengers shall ride on their vehicles.

This practice has never been brought to a test and represents the latest technique devised by the bus companies themselves to circumvent the Supreme Court's ruling in the historic Irene Morgan case.

U.S. Travel Defender Law Questioned

Virginia Threatens Supreme Court Rule

Chicago, Ill.

RICHMOND—If higher courts uphold the conviction of Attorney Samuel W. Tucker, 33-year-old Negro former army major, charged with "creating a disturbance" on a bus here, a new Virginia code may circumvent the famous U. S. Supreme Court decision outlawing segregation in interstate travel.

The conviction was based on section 4533A of the Virginia Code, as amended by the 1946 General Assembly which states that it shall be a misdemeanor for any person to cause any unnecessary disturbance in a public conveyance by failing to move to another seat when lawfully requested to do so by the operator.

Sat. 11-30-46

Two prominent white lawyers, Martin A. Martin and Oliver W. Hill, representing Tucker, brought out that at no time did Tucker create a disturbance nor was he abusive or violent. Whitlock, who testified as a prosecution witness, declared that Tucker quietly but firmly refused to move.

Defense attorneys took the posi-

tion that it is "unreasonable and unconstitutional" to use section 4533A in enforcing segregation.

Failure of higher courts to outlaw state evasions of constitutional law by legislation such as the Virginia Code would encourage a deluge of similar incidents throughout the South," it was believed here.

Lawyer, Former Army Major Is Fined In Va.

Daily World
Atlanta, Ga.
Wed. 11-27-46

Companies Use Regulations With Court Aid

RICHMOND, Va.—(NNPA)—Although the United States Supreme Court has declared invalid state jimcrow laws requiring the seating of colored passengers in the rear of buses in interstate travel, bus companies operating in the south continue to attempt to enforce such race segregation through company regulations with the aid of state courts.

The latest incident involved Samuel V. Tucker, of Emporia, Virginia, a 33-year-old lawyer and former Army major, who was found guilty in Police Court here November 19 for creating a disturbance on a bus by refusing to move to another seat when ordered to do so by the bus operator.

OLD PROVISION

His conviction was based on a provision in the Virginia Code which makes it a misdemeanor for any person to cause any unnecessary disturbance in a public conveyance by failing to move to another seat when lawfully requested to do so by the operator.

Justice Carleton E. Jewett imposed the minimum fine of $5, and Mr. Tucker was released on $100 bond when he voted an appeal.

Mr. Tucker, a veteran of five years' service as an Army officer, boarded a Trailways motor bus in Washington on a trip to Emporia. He took a seat fourth from the front and seventh from the back and rode in that position from Washington to Richmond. At the Richmond terminal, some passengers got off but more got on and white persons occupied all the seats in front of him and the seat just behind him.

Roy B. Blaylock, of Cary, North Carolina, the bus driver, asked Tucker to move two seats to the rear, directing attention to company regulations which state that colored passengers shall occupy seats from the rear and white passengers from the front.

Wed.
DECLINED TO MOVE 11-27-46

When Mr. Tucker declined to move, Blaylock left the bus, returning later with a policeman and a warrant. Tucker again was asked to move. When he again refused to do so, he was arrested.

The warrant charged that Mr. Tucker on October 28 violated Virginia law by causing "an unnecessary disturbance in a public conveyance, to wit, a Trailways motor bus, by failing to move to another seat when lawfully requested to so move by the operator."

Daily World

John J. Wicker, Jr., who acted as special prosecutor at the request of the Commonwealth's Attorney, told the court in his opening statement that signs are prominently displayed by the bus company in the Washington terminal and in the vehicles, stating that the company reserves the right to change seating arrangements and also stating that white passengers should occupy space nearest the front and colored passengers nearest the rear.

Atlanta, Ga.

29 1946

Virginia (Compliances with U. S. Decision)

Dixie Railroad Bans Travel A La Jim Crow

New York N.Y.
Amsterdam News

In a letter to an ANP correspondent, Norman Call, president of the Richmond and Fredericksburg railroad, connecting line between the north and the south on the eastern seaboard, said: 8-24-46

"Our recently adopted policy banning separation of passengers seems to be working out all right and I see no reason why it should not."

This is the first southern railroad to voluntarily act to comply with recent ruling of the supreme court on the segregation of interstate passengers and its operation will be closely watched by other roads which will be affected by the same ruling.

Greyhound Promises To Stop Jim Crow

Defender Chicago, Ill.
Sat. 8-17-46

The Greyhound Bus Company last week promised to carry out the eradication of Jim Crow practices ordered in the recent Supreme Court decision.

"Instructions are going out to operating officials to conform with the constitutional principles laid down" in the Morgan vs. Virginia case, announced R. A. L. Bogan, executive vice president.

The Supreme Court decision prohibits the segregation of passengers on buses in interstate travel.

The announcement was made in a letter to the Chicago Civil Liberties Committee which said it was continuing its anti-discrimination campaign and pledged legal aid to anyone reporting violations of the law.